ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

IN REPLY PLEASE REFER TO

☞ "N" LEH

February 15, 1938.

Order No. 3.

Instructions to Chiefs, Division "N" and "O", relative to posting G.L.O. oil and gas prospecting permits terminated by operation of law.

Hereafter, immediately upon receipt of a signed letter advising the permittee, in G.L.O. cases, that his oil ahd gas prospecting permit has been terminated by operation of law, under the provisions of the act of August 26, 1937 (50 Stat., 842), the adjudicator in Division "N" will make appropriate notation on the backing sheet of the record and attach a special tag noting thereon "G.L.O. permit terminated". The record will then be delivered in person to the Chief of Division "O", or to any other person designated by him where the following notation will be made without delay on the tract books: "Terminated under act August 26, 1937 (50 Stat., 842). Noted (date)".

Fred W. Johnson,

Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

March 31, 1938.

IN REPLY PLEASE REFER TO

☞ ____________________

OFFICE ORDER NO. 4:

Hereafter no payment tendered in person for copies of records, including township plats, will be received or receipt issued by any employee other than the Receiving Clerk or his assistant, Mrs. Emma P. Towers.

All plats or other copies of records that are to be delivered in the office, either at the time of purchase or when called for, will be sent to the Receiving Clerk for delivery and no employee other than the Receiving Clerk or his assistant will deliver any such copies or receive payment therefor.

Each employee taking an order will make an itemized bill therefor in triplicate on the form now in use, retaining one copy and handing the original and one copy to the purchaser who will present them to the Receiving Clerk with the amount to be paid and received back from him the original duly receipted by the Receiving Clerk. The copy on which will be indicated the amount anf form of the payment received will be sent through the usual channels of money letters. The copy retained in the division taking the order will be filed in numerical order in a permanent division file.

All memorandum order blanks now on hand will be numbered consecutively, in triplicate, i. e., first three sheets to be No. 1, the second three No. 2, etc. Chiefs of Divisions will immediately transmit to the Receiving Clerk all order blanks now on hand for numbering, recording and redistribution to the various divisions. The Receiving Clerk will keep a record of the numbers assigned to each division and the divisions will be held accountable for all numbers assigned thereto.

The above procedure does not apply to remittances received through the mail which will be handled in the same manner as heretofore, nor does it apply to mail orders except when the copies are to be delivered in the office and payment made at the time of delivery.

Fred W. Johnson

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 6, 1938.

Order No. 5
"M" CLB

Instructions to Registers of U. S. Land Offices relative to assigning serial numbers to grazing licenses.

Hereafter when a grazing license is issued to a licensee who has heretofore had a grazing license, instead of assigning a current serial number registers will give the new license the same serial number that was assigned to the first grazing license issued to the licensee, whether the licensee is an individual, a group of individuals, a partnership, or a corporation. In the case of a group of individuals, however, if there is any change in the membership of the group since the last license was issued, it will be necessary to assign a new serial number and treat the new group as a new licensee.

Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 5, 1938.

ORDER NO. 6.

Effective May 16, 1938, the use of press copy machines and press copy ribbons will be discontinued.

Coincident with the abolition of the press copy system, the custom of initialing the original will be discontinued and the drafters and reviewers will write their surnames in the upper right corner of the first and second carbon copies. The first carbon copy, which will be a light blue color and have the initialing box in the upper right corner, will become the case or miscellaneous file copy. The second carbon copy will be on white thin paper and will be filed in the permanent files. After the original has been signed the blue copy will be stamped "official copy" in the office of the signing officer.

In addition to the official copy for the case or miscellaneous file and the copy for the permanent file, both of which must be carbon copies, sufficient copies will be made for service on interested parties and for filing with each record where more than one case is involved. Distribution of copies, other than the file copies, will be indicated by suitable notation in the lower left corner of the first page of the official copy and on other carbons for office record and the guidance of the mailing clerks. Style of notation:

cc: Register (5)
John Jones
etc.

Where more than two runs will be required to obtain the necessary number of copies, the mimeograph should be resorted to. In such cases the stenographers or typists will prepare the stencil which will be submitted to the Department's miscellaneous service division with a memorandum for the number of copies desired. A blanket requisition will be on file with that division. In case mimeographed copies are necessary, the stencil should not be prepared until the original has been signed.

All work (second run or stencil) must be carefully compared with the official copy to insure accuracy.

All mail will be dispatched through the Mail and Files Division as at present. The necessary envelopes will be prepared for the convenience of the mailing clerks.

Correspondence addressed to the Department or prepared for the signature of Department officials will continue to be prepared in accordance with existing instructions.

Regulations, circulars and like material should always be mimeographed in view of the large number of copies required.

Elite type machines should be used as far as possible and all correspondence and decisions will be single spaced.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 13, 1938.

Order No. 7.

Instructions to District Land Offices
Concerning the Numbering of
Grazing Licenses.

Effective July 1 the assignment of district land office serial numbers to grazing licenses will be discontinued. Thereafter such licenses will be identified by the numbers given them by the regional offices of the Division of Grazing; and no grazing license shall be delivered to a licensee or copy thereof sent to this office that does not bear the regional office number.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 1, 1938.

ORDER NO. 8.

Reports requested, by counties, as to area of unappropriated and unreserved public lands; as to certain areas within grazing districts; and as to areas included in pending entries.

Each register will report, IN DUPLICATE, by counties and townships, on blank forms (4-349 revised), the area of unappropriated and unreserved public lands in his land district as of April 30, 1938. For the purpose of this report, lands withdrawn by Executive Orders of November 26, 1934, or February 5, 1935, Nos. 6910 and 6964, respectively, will be considered as unreserved.

It is essential that such reports be forwarded not later than July 15.

Townships should be arranged in numerical order and where a township is within more than one grazing district the acreage of the township within each of such districts must be shown. These data are necessary to effect the proper distribution of certain receipts to the counties after the close of each fiscal year as directed in Sec. 10 of the Taylor Grazing Act. Each register is requested to exercise especial care in making this report in order that it may be as accurate as possible.

The data as to the surveyed land should be obtained from the township plats, but the area of the unsurveyed lands must necessarily be estimated. The register will deduct any portion which is within a national forest, national park or monument, Indian, military or other reservation, except as hereinafter indicated.

This report should not include lands embraced in withdrawals under the reclamation act.

As to grazing districts the following classes of public lands will be treated as unappropriated and unreserved:

(a) Public lands in applications to enter or purchase.
(b) Selected public lands in applications for exchange.
(c) Public lands included in permits or leases under the mineral leasing act or applications therefor.

(d) Public lands affected by oil shale Executive Order No. 5327, dated April 15, 1930.
(e) Public lands in designated geological structures of producing oil or gas fields.
(f) Public lands in power sites and other reservations, the surface of which is subject to grazing.

In other words, the information desired in that portion of the form headed "Within established grazing districts" is the net area in each township and county subject to grazing under Sec. 3 of the Taylor Grazing Act as of April 30, 1938.

It is suggested that the register keep any work sheets or tabulations used in compiling this report for use in preparing similar reports in the future, if or when called for.

Each register will also submit, in duplicate, on or before August 1, 1938, statements showing the aggregate number and area of homestead and other entries of record in his district which segregate the land and upon which final proof of compliance with the law has not been presented before July 1, 1938. In order to show clearly the information desired, the statements should be in the following form:

	No.	Acres
Entries of ceded Indian lands upon which acceptable final proof received but final certificate awaits payment........................		
Entries under the reclamation act upon which acceptable final proof received but final certificate awaits final reclamation proof.....		
All other homestead entries.......		
All other entries, not including pending applications for exchange..		
Total pending unperfected entries..		

Each register will acknowledge receipt hereof on enclosed form 4-272a.

(Sgd) Fred W. Johnson,

Commissioner.

Enclosure.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 30, 1938.

Instructions to district land offices regarding issuance of receipts for grazing fees and transmittal of grazing licenses.

ORDER NO. 11

Referring to Order No. 7, regarding the discontinuance of serializing grazing licenses on July 1, upon receipt of payments involving licenses which have theretofore been assigned serial numbers registers will observe care to show the serial number in the space provided therefor on the receipt. The grazing license number will also be shown on all receipts issuing for grazing fees as directed in Circular W-119, dated March 23, 1938.

Beginning with the returns for the first half of July registers will transmit all grazing licenses in numerical order by receipt numbers with the lowest numbered receipt on top.

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO:

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

July 12, 1938

Order No. 12

MEMORANDUM RELATIVE TO THE PREPARATION OF REGULATIONS OF THE GENERAL LAND OFFICE.

SECTION XXI of the Federal Register Regulations approved May 26, 1938 (3 FR 1224 D.I.) provides as follows:

> "All documents, excepting Presidential proclamations and Executive orders, amending, supplementing, revising, revoking or superseding material required to be prepared and to be filed with the Administrative Committee of the Federal Register pursuant to section 11 of the Federal Register Act, as amended by the act of June 19, 1937 (50 Stat. 304), shall be prepared in the style and arrangement prescribed by Parts B and C, as they are now or may hereafter be amended, of Chapter III of the Codification Regulations of November 10, 1937 (2 FR 2450), and shall be filed in the office of the Director of the Division of the Federal Register. In addition, there shall be prepared in the same style and arrangement and filed with the Director of the Division, all other documents, issued subsequent to June 1, 1938, which are subject to codification pursuant to section 11 of the Federal Register Act, as amended by the act of June 19, 1937 (50 Stat. 304); * * *."

In order to comply with the foregoing section, the following instructions should be observed in the preparation of regulations of the General Land Office:

1. Each paragraph which is to be codified should be given an appropriate code section number at the beginning of the paragraph. If desired, the paragraphs, in addition, may be numbered consecutively beginning with number 1, such numbers to be placed in parenthesis, following the code section numbers.

2. Each paragraph which is to be codified, if based on a particular statute authorizing the issuance of rules and regulations, must refer to such statute. This will be accomplished by showing such authority by a footnote at the end of the circular and by making reference to such footnote by an asterisk placed at the end of each paragraph. Example of footnote:

"*Issued under authority of Sec. 6, 49 Stat. 501; 44 U.S.C. 306."

These instructions apply only to regulations and portions of regulations which are of the type specified for inclusion in the Code of Federal Regulations.

Further information as to the preparation of the regulations, and the necessary code section numbers, may be obtained from Mr. C. G. Fisher, Room 5547.

(Signed) Joel David Wolfsohn

Assistant to the Commissioner.

30359

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 15, 1938.

Order No. 13

Report requested of area of unappropriated and unreserved public lands, and of public lands withdrawn or reserved where jurisdistion remains in the Department of the Interior.

Enclosed herewith are blank forms upon which each register will report, in duplicate, by counties and townships, as of June 30, 1938, the following data, required in connection with the administration of the act of June 1, 1938 (Public No. 577):

1. Area of the unappropriated and unreserved public lands.

2. Area of public lands withdrawn or reserved by the Secretary of the Interior, or by Executive order or proclamation, or by act of Congress, or otherwise, where the land remains under the jurisdiction of the Department of the Interior.

For the purpose of this report, lands withdrawn by Executive Orders of November 26, 1934, and February 5, 1935, Nos. 6910 and 6964, respectively, and withdrawn mineral lands subject to surface entries, will be considered as unreserved.

Under item No. 2, omit the following classes of lands:

withdrawn under the Reclamation Act,
within Indian reservations,
ceded Indian lands withdrawn by orders of
   September 19 and November 2, 1934,
withdrawn for stock driveways,
within Public Water Reserves,
withdrawn for reservoir sites,
or any other lands where the purpose of
   the withdrawal bars operation of the
   5-acre act.

Give the date and number (if any) of the withdrawal order or proclamation, and state the purpose thereof briefly, such as "resurvey", "aid of legislation", "national park" (with its name), "grazing district" (with its number), "power site" or "power project", etc. It is also desired that the oil-shale withdrawal made by Executive Order No. 5327 of April 15, 1930, and any designated structure of a producing oil or gas field be indicated where involved.

Where withdrawal orders overlap, in whole or in part, report the area thus affected under the first order only, but give reference to each order.

Entered lands will be considered as unappropriated where the entry does not lead to disposal of title, such as permits and leases under the mineral leasing acts, leases under the grazing act, etc.

Fractional parts of an acre should not be shown.

Lands withdrawn for resurveys should be reported as unsurveyed.

It is desired to have this report at the earliest practicable date. Advise when it may be expected. It is hoped that the report may be received not later than September 30.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 15, 1938.

Instructions to Registers
re five-acre act of June 1,
1938 (Public No. 577).

Order No. 14

After Registers have acknowledged inquiries relating to the above-mentioned act, it is desired that the correspondence be forwarded to this office to afford better opportunity for ascertaining the extent of the interest being manifested in the act, and for filing and later attention.

A supply of form letters is enclosed, to be used, where appropriate, in answering such inquiries. Each letter answered in this way should be endorsed "Answered by form letter"; otherwise a copy of the reply should be attached.

Make returns to this office at the end of each week, accompanied by letter of transmittal with reference to this order.

(Sgd) Fred W. Johnson,
Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

JULY 29, 1938

IN REPLY PLEASE REFER TO

☞ ______________________________

Order No. 15.

Instructions to district land offices concerning withdrawals of oil and gas lease applications.

Hereafter, when a withdrawal of any pending application for oil and gas lease under the act of August 21, 1935, is filed, the register will close the case upon his records and so report to this office on Form 4-145. He will at the same time transmit to the Director of the Geological Survey, this city, a duplicate copy of such report.

In any case where the withdrawal is filed prior to the receipt of instructions to apply the fee as earned as provided by Circular 1383a, approved July 13, 1938, the register will take the necessary steps to return the filing fee.

While the form letter is applicable to cases in which action has been taken by this office, it should be used in all cases, modified when necessary by striking out the inappropriate statements. The withdrawals should be forwarded with the regulat semi-monthly returns.

Fred W. Johnson

Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

AUG 10 1938

IN REPLY PLEASE REFER TO
☞ "N" GLP

Order No. 16

INSTRUCTIONS TO THE MINERAL DIVISION CONCERNING COMPLIANCE WITH REGULATIONS IN CIRCULAR 823

I am informed that complaints have been made by the supervisors of oil and gas operations of the Geological Survey that duplicate copies of applications for oil and gas leases under the act of February 25, 1920 (41 Stat. 437), as amended, have not been filed with them as required by the regulations in Circular 823 of October 1, 1926.

In any case where such application without duplicate is filed direct in this office instead of with the Register, the application should be suspended and a requirement made for the submission of the duplicate within 30 days from notice. The letter making the requirement should state that the application will be finally rejected if the duplicate is not timely filed. When the duplicate is received the date of the filing of the original should be endorsed thereon, and it should be forwarded immediately to the Supervisor of Oil and Gas Operations of the Geological Survey for the district in which the land is located, and the Register notified of the filing of the application for lease.

Fred W. Johnson

Commissioner.

8-4 bbj

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

September 8, 1938

In reply please refer to
"C" AZ
Order No. 18

INSTRUCTIONS TO REGISTERS OF DISTRICT LAND OFFICES, RELATIVE TO PARAGRAPH 5 OF CIRCULAR No. 1353 b.

Paragraph 5 of Circular No. 1353 b prescribing the action which is to be taken on applications and petitions for classification, in cases not under the homestead laws, contemplates that the Register shall send the duplicates of such applications and petitions to the Director, Division of Investigations, with request for report, and that he shall send the originals to the Commissioner of the General Land Office to await receipt of the report.

Where the land involved is included in a grazing district the General Land Office will request the Director, Division of Grazing, to also make a report, as provided in the above-mentioned paragraph 5.

(Sgd) Antoinette Funk
Acting Commissioner.

IN REPLY REFER TO: "A" LRK.

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

King
Barash
Altizer

Sept. 2, 1938.

ORDER NO. 19

Registers,
District Land Offices.

Sirs:

In the event negotiable bonds are deposited with you as collateral in connection with cases under the mineral leasing act, you will transmit such bonds to this office by insured registered mail, rather than by ordinary registered mail. Such bonds must be declared at their full value on the date of mailing. The cost of the insurance should be charged to your authorization for registration.

Very truly yours,

(Signed) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO: "A" JDW.

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Sept. 14, 1938.

ORDER NO. 21.

Hereafter it will be permissible for communications from the staff directed to the Commissioner of the General Land Office to be addressed as follows:

Commissioner,
General Land Office,
Washington, D. C.

Dear Mr. Johnson:
or
Dear Mr. Commissioner:

Fred W. Johnson,
Commissioner.

IN REPLY REFER TO: "A" LRK.

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Sept. 14, 1938.

ORDER NO. 22

All Registers of district land offices will immediately gather and send to me two copies of every form or form letter now in use by it.

Hereafter any revision of forms or any new form letter shall be submitted to this office for approval before it becomes effective.

Fred W. Johnson,
Commissioner.

Order No. 23

UNITED STATES

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON

October 10, 1938.

"N" LEH

Instructions relating to
applications to exchange
permits for leases under
act of August 21, 1935.

Registers,

United States Land Offices.

Sirs:

On and after November 1, 1938, action on all applications to exchange oil and gas prospecting permits for leases under the act of August 21, 1935 (49 Stat. 674) will be governed by the following instructions:

1. Applications by the record holder to exchange permits for leases received in your office will be acknowledged on the attached form letter, No. 2. If the application is filed by an operator of record, you will use the same form of acknowledgment, with the added statement that lease and bond forms will be transmitted in due course to the record holder for execution. As soon thereafter as practicable, you will prepare bond and lease forms in your office and transmit them to the record holder of the permit, together with form letter of instructions as to their execution and circulars 1290 and 1293 revised, using the attached form letter of transmittal, No. 3.

2. Upon receipt of the bond and lease forms, you will

   (a) Examine the lease forms and see that the signature of the record holder of the permit is properly witnessed and addresses of witnesses given. This requirement will be waived in cases where the signature is witnessed by two persons though the addresses of the witnesses are not given, and where the signature is witnessed by only one person whose address is supplied.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

November 16, 1938.

IN REPLY PLEASE REFER TO

☞ ____________________

ORDER NO. 25

Replies to inquiries received at District Land Offices.
Filing of inquiries and replies.

1. All inquiries hereafter received at the District Land Offices will be answered by letters signed by the Register or the Acting Register and the inquiries together with copies of the replies will be appropriately filed.

2. An appropriate individual response must be made to each inquiry. Forms may be used if appropriate. The attached form letter is for use in answering requests for general information where such information is set forth in detail in circulars and regulations of this office. Requisition should be made for the number of copies needed.

3. The practice which heretofore has obtained in some district land offices of typing replies on the face or back of incoming letters and of returning the letters to the correspondents will be discontinued.

ANTOINETTE FUNK,

Acting Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

NOV 21 1938

IN REPLY PLEASE REFER TO
☞ "M"

Notices of rentals due
under grazing leases.

ORDER NO. 26.

In order that there may be uniformity in sending out notices of rentals due and accounting for rentals under the Taylor Grazing Act, this office will mail the notices direct to the lessees. Notice forms have been prepared in sets of four, so that all notices that may be required for a lease year are written and addressed in one operation. They will be mailed in window envelopes. The four notices consist of: a notice for each installment of rental due, to be mailed 15 days before the due date; and a second notice for each installment, to be sent out only in case the rental is not paid when due. The second notice will be mailed as soon as this office learns that payment was not made on time. An emergency supply of the forms has been printed in the Department and sample copies are attached.

In order that lessees may not be unnecessarily annoyed by the receipt of second notices after payment has been made, it is important that Registers shall list all rental payments in their abstracts of moneys applied for the semimonthly period within which the payments are made.

Very truly yours,

Joel David Wolfsohn

Acting Assistant Commissioner.

Encs. (4)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 9, 1938

ORDER NO. 29:

George A. Cunningham, field representative of this office, is hereby designated as Acting Supervisor of the district land office service, and under the direction of the Commissioner shall have general supervision over the personnel and the administrative and clerical activities of all district land offices.

Subject to the approval of the Commissioner he is authorized to formulate and effectuate plans, methods and standards necessary to coordinate and improve the activities of such offices, including the establishment and maintenance of uniform procedures and records; to outline the duties, assign, change or direct the work of employees, and to recommend such changes in personnel as he deems necessary.

Registers and employees of district land offices are directed to cooperate fully with Mr. Cunningham.

This order is effective January 1, 1939.

(Sgd) Fred W. Johnson,

Commissioner.

44602

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 8, 1938.

Receipts for payments
of rental in connection
with lease applications.

Order No. 30.

This office is receiving a great many requests from the General Accounting Office for copies of leases in connection with receipts issued by Registers of District Land Office which show the purpose of the payment as "Rental for oil and gas lease", "Rental for coal lease", "Rental for grazing lease", etc. Receipts so worded naturally convey the idea that there is a lease. In a great many cases, however, the quoted wording is used when the lease has not yet been issued. The General Accounting Office is furnished with a copy of each lease issued by this office, and when a receipt is received there showing payment of rental for a lease, a copy of the lease is looked for, and if not on file request therefor is made upon this office.

To avoid misunderstandings and unnecessary correspondence, both in the General Accounting Office and this office, hereafter when writing receipts for advance rental payments in connection with pending lease applications, Registers will state the purpose of the payment as "Advance rental, oil and gas lease application", "Advance rental, coal lease application", "Advance rental, grazing lease application", etc.

(Sgd) Fred W. Johnson

Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

December 9, 1938.

IN REPLY PLEASE REFER TO

☞ 1750340

Order No. 31.

Chiefs of Divisions:

Whenever Members of Congress write to this office concerning a case which is pending in the field for investigation, it has been the practice to send a copy of our reply to the Special Agent in Charge in order that he may know of the interest shown in the case. We have just received a memorandum from the Division of Investigations in which it is stated that:

> "It will be appreciated if you will furnish this office copies of letters indicating an interest in cases being investigated by this Division. It is believed this procedure will be more effective, as the various regional offices can be directed to expedite field investigations and the submission of reports in cases where such interests are shown."

Hereafter in such cases our letter to the Member of Congress will state that a copy thereof is being sent to the Director, Division of Investigations, in order that he may know of the interest shown in the case. Two copies of the letter will be sent to the Division of Investigations, one for their files and one for transmittal to the Special Agent in Charge. This office will not send a copy direct to the Special Agent in Charge.

L. R. King

Executive Assistant.

Address Only The Commissioner of The General Land Office

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 9, 1939

In Reply Please Refer To
1753781 "N"

ORDER NO. 32.

INSTRUCTIONS REGARDING $1,000 INDIVIDUAL SURETY LEASE BONDS

In connection with applications to exchange oil and gas prospecting permits for leases pursuant to the act of August 21, 1935 (49 Stat. 674), the registers heretofore have been advised that where $1,000 individual surety bonds are filed the individual sureties must be residents of the State and the United States Judicial District in which the lands involved are located, as required by Circular 1293 (Revised).

Pursuant to the instructions of the Secretary and superseding the requirement of Circular 1293 (Revised), with regard to the residence of individual sureties on a bond, the registers will hereafter accept $1,000 individual surety bonds filed in connection with applications to exchange permits for leases if the principal and sureties thereon reside in the same State and United States Judicial District irrespective of the fact that the lands involved may be located in another State.

In all cases in which an applicant for exchange shall fail to return executed the bond and lease forms within the period of 30 days allowed him by the register, that officer will withhold adverse action for an additional period of 30 days in order to afford the applicant ample opportunity to avail himself of the right herein granted.

Hereafter, in transmitting bond and lease forms for execution, the register will attach to Circular 1293 (Revised), a copy hereof for the information and guidance of the applicant for exchange.

(Sgd.) Fred W. Johnson,

Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

JAN 18 1939

IN REPLY PLEASE REFER TO
☞ 1727897 "M"

ORDER NO. 33

Reports requested as to certain areas
included in grazing districts under Order No. 8.

Under order No. 8 each register was directed to include in the grazing district totals certain classes of public lands. In order that this office may be informed as to certain acreage included in the reports submitted registers will furnish supplemental reports, in duplicate, by counties and grazing districts, on form 4-349 revised, as of April 30, 1938, showing what areas they included under class (f) "Public lands in power sites and other reservations, the surface of which is subject to grazing". The report should be prepared as indicated on the form herewith enclosed. Where a county is in more than one grazing district the acreage in each of such districts must be shown.

As there is sufficient space on each blank to report several counties it is assumed each register has an ample supply of the form on hand; if not, a requisition should be made for the additional blanks needed.

Fractional parts of an acre should not be shown.

This supplemental report should be compiled at the earliest practicable date. Please advise when it may be expected.

Fred W. Johnson

Commissioner.

49031

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office

January 1939

ROSTER OF FIELD OFFICERS.

DISTRICT LAND OFFICES

ALASKA

Anchorage:
Geo. A. Lingo, Register.
Miss Florence L. Kolb, Acting Register.

*Fairbanks:
John B. Hall, clerk of the District Court, ex officio register.
J. A. McDonald, United States marshal, ex officio receiver.

*Nome:
Almer Rydeen, clerk of the District Court, ex officio register.
Benj. B. Mozee, United States marshal, ex officio receiver.

ARIZONA

*Phoenix:
Patrick J. Keohane, Register.
Stephen D. Pool, Acting Register.

CALIFORNIA

*Los Angeles:
Paul Witmer, Register.
Arvid T. Johnson, Acting Register.

*Sacramento:
Ellis Purlee, Register.
Edward C. Jennings, Acting Register.

COLORADO

*Denver:
Mrs. Jessie M. Gardner, Register.
Miss Frances Reilly, Acting Register.

*Pueblo:
Lloyd T. Morgan, Register.
Fred R. Bessey, Acting Register.

IDAHO

Blackfoot:
Frank E. DeKay, Register.
Frank D. Brown, Acting Register.

Coeur d'Alene:
Arthur J. Ewing, Register.
Burr J. Bostwick, Acting Register.

MONTANA

*Billings:
Wm. Riddell, Register.
Herman J. Schobert, Acting Register.

*Great Falls:
Thos. F. Corbally, Register.
Adin H. Stringham, Acting Register.

NEVADA

*Carson City:
Mrs. Gladys E. Huyck, Register.
Miss Elizabeth M. Ryan, Acting Register.

---

*Located in Federal Buildings.

(over)

NEW MEXICO

*Las Cruces:
Paul A. Roach, Register.
Marlin G. Livermore,
Acting Register.

*Santa Fe:
Leo F. Sanchez, Register.
Frank L. Wood, Acting Register.

NORTH DAKOTA

*Bismarck:
Mrs. Belle D. Byrne, Register.
Kenneth N. King, Acting Register.

OREGON

Lakeview:
Clarence Ogle, Register.
Jay A. Moberly, Acting Register.

*Roseburg:
Geo. Finley, Register.
Carl. F. Spaulding, Acting Register.

*The Dalles:
Wm. F. Jackson, Register.
William A. Wilkinson,
Acting Register.

SOUTH DAKOTA

*Pierre:
Fred S. Minier, Register.
Gene Adams, Acting Register.

UTAH

*Salt Lake City:

Register.
Miss Catherine V. Schad, Acting Register.

WASHINGTON

*Spokane:
Harry N. Child, Register.
Mrs. Cora E. Salisbury, Acting Register.

WYOMING

Buffalo:
Theodore Wanerus, Register.
Leslie A. Weeks, Acting Register.

*Cheyenne:
Wm. G. Johnson, Register.
Fred J. Peterson, Acting Register.

*Evanston:
Loraine Rollins, Register.
William F. Starkey, Acting Register.

Total local land offices, 25.

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*Located in Federal Buildings.

49031

SUPERVISOR OF SURVEYS

Frank M. Johnson, Federal Building, Denver, Colorado.

ASSOCIATE SUPERVISOR OF SURVEYS

A. D. Kidder, Washington, D. C.

PUBLIC SURVEY OFFICES

ALASKA

Juneau:
Geo. A. Parks, District
Cadastral Engineer.

ARIZONA AND CALIFORNIA

*Phoenix:
S. C. Fiske, Office Cadastral
Engineer.

Glendale:
Albert C. Horton, Jr., District
Cadastral Engineer.

COLORADO AND WYOMING

*Denver:
Herman Jaeckel, District
Cadastral Engineer.

*Cheyenne:
Joel Q. Naret, Office
Cadastral Engineer.

IDAHO AND WASHINGTON

*Boise:

John P. Walker, District
Cadastral Engineer.

IDAHO AND WASHINGTON (Cont'd)

*Olympia:
W. A. Clark, Office
Cadastral Engineer.

MONTANA

*Helena:
Henry J. Goodale, Office
Cadastral Engineer.

NEW MEXICO

*Santa Fe:
Guy P. Harrington, District
Cadastral Engineer.

OREGON

*Portland:
Joseph A. Ganong, District
Cadastral Engineer.

UTAH AND NEVADA

*Salt Lake City:
George D. D. Kirkpatrick, District
Cadastral Engineer.

*Reno:
Harry S. Palmer, Office
Cadastral Engineer.

OREGON AND CALIFORNIA REVESTED LANDS ADMINISTRATION

Walter H. Horning, Chief Forester
407 Customhouse,
Portland, Oregon.

---

*Located in Federal Buildings.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 17, 1939.

ORDER NO. 36

With a view to facilitating the prompt dispatch of correspondence, Chiefs of Divisions are hereby authorized to sign letters of a simple or routine nature relating to or involving the following:

1. Calling for reports as to character of lands, military service, naturalization, etc., (usually form letters).

2. Merely transmitting copies of records, maps, plats, patents and matters of a similar character.

3. Furnishing simple status or other record information not of a confidential nature.

4. Furnishing general public land information and circulars.

5. Quoting cost of copies of records; information relating to the sale of plats and maps, and the sale or distribution of publications.

6. Correspondence relating to the accounting work such as returning vouchers for completion; correction of errors and omissions in the preparation of accounts and semi-monthly returns; balances due under grazing and mineral leases; requesting information to complete the accounts; general replies to requests for information from the General Accounting Office; and similar routine matters.

NOTE: Chiefs of Divisions are NOT authorized to sign any letters involving an interpretation of law or fact, rights of claimants under the public land laws, questions of procedure or policy, replies to letters from field officers requesting office approval of certain practices or procedures, instructions to field officers, or letters of any nature to Members of Congress.

In case there is any doubt as to whether a letter may be signed by a Chief of Division, it should be prepared for the signature of the Commissioner or Assistant Commissioner.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 28, 1939.

ORDER NO. 37.

INSTRUCTIONS TO DISTRICT LAND OFFICES CONCERNING ADVERSE PROCEEDINGS AGAINST MINERAL CLAIMS.

Hereafter, where adverse proceedings are brought against a large number of mineral claims in conflict with the development of reclamation and other projects, the following procedure will be observed.

All claims included in each separate field report, against which similar charges may be brought, will be grouped and proceedings brought against the group. A copy of the report will accompany the letter ordering the adverse proceedings, from which you will take the names of the claimants and the descriptions of the land, where given, and the names and addresses of the locators. Where the address of the locator is not given, you will call upon the Special Agent in Charge for the missing address.

You will proceed in accordance with the letter of instructions, serving notice of the charges on each claimant covered by the report.

You will retain the field reports in a confidential file in your office and when the proceedings involving any report are closed, you will return that report to this office to be assembled with the proper file.

(Sgd) Fred W. Johnson,

Commissioner.

53363

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 1, 1939

ORDER NO. 38.

The second annual conference of the Acting Registers probably will be held during the month of August, 1939, at a place to be announced. Registers, in cooperation with their staffs, are requested to arrange vacation and leave schedules accordingly.

In order that the time of the conference may be used to best advantage, the following are designated a committee on program:

Fred J. Peterson (Chairman), Cheyenne;
Miss Catherine V. Shad, Salt Lake City;
Miss Frances Reilly, Denver;
Marlin G. Livermore, Las Cruces;
Arvid T. Johnson, Los Angeles.

The committee, through correspondence in a manner prescribed by its chairman, will consider suggestions for program, and all members of the G. L. O. field staff are invited to submit questions and matters for possible inclusion in the conference agenda.

On completion of a final draft of the program, it should be submitted through Acting Field Supervisor Cunningham for the approval of the Commissioner.

The program committee chairman is requested to communicate with the office of the Supervisor of Surveys, Denver, for the purpose of arranging a concurrent engineering meeting, if feasible, and the participation of that office in the conference.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 15, 1939.

Promulgating decisions
of the General Land Office.

ORDER NO. 39.

Registers are instructed to promulgate decisions of the General Land Office by using Form 4-485 (December, 1938), in all cases where appropriate. A copy of the decision should be sent with each notice. If more or less than 30 days for appeal is allowed, the form should be appropriately modified. Letters explaining the decisions should not be written.

If in particular cases, it is found necessary for registers to advise the parties in interest relative to the payment of fees, the execution of affidavits, etc., notices similar to Form 4-485 (December, 1938) should be typed and the necessary additional information should be added.

If any district land office has not been supplied with the new forms, or if additional copies of such forms are needed, they will be supplied, on request. When the new forms are received, all prior forms of this kind should be destroyed.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 15, 1939

Delivery of licenses after expiration of grazing period.

ORDER NO. 40.

Pursuant to instructions of the Department dated February 25, 1939, where an applicant for a grazing license tenders payment of the grazing fee after the license period has expired, or where a portion of the period has expired before payment is proffered, the license shall be delivered to the applicant but must bear a notation of the date of delivery. If, however, the regional grazier has notified the register of the service on the applicant of an order under Sec. 11, Par. d of the Federal Range Code, the license shall be withheld until the regional grazier notifies the register that the proceedings have terminated and that the applicant is entitled to receive the license already prepared or a specified amended license.

(Sgd) Fred W. Johnson,
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 1, 1939.

Registers' lists of
unearned moneys.

Order No. 41.

By Order No. 20 dated September 12, 1938, the attention of registers of district land offices was called to the large number of amounts that had been carried in their unearned lists for one or more years. They were directed to make a careful examination of all unearned items and to return or apply all amounts that could be properly disposed of in that way. Amounts carried in the names of individuals whose whereabouts were unknown were to be transferred to the receipt account entitled "Moneys Belonging to Individuals Whose Whereabouts are Unknown."

The Acting Comptroller General of the United States has written the Secretary under date of March 25 that an examination of the registers' accounts recently received in the General Accounting Office does not show that any special effort has been made to dispose of the old items. Registers will please report to this office at once what if any action has been taken to clear their unearned lists of the old items, and if no action has been taken they should comply with Order No. 20 at once.

(Sgd) Fred W. Johnson.

Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

King
Wolfsohn

APR 11 1939

IN REPLY PLEASE REFER TO

☞ ____________________

One to each Register
with 12 sets of
4-386

ORDER NO. 42

Enclosed are 12 sets of the new form of monthly work report. Commencing with the month of April, this form will be used for reporting the work performed in district land offices, and all old forms should be destroyed.

This report should be submitted not later than 10 days following the month covered by it. It should be prepared in quadruplicate, the original, blue and pink copies transmitted to the General Land Office, and the buff copy retained in the district land office files.

Under "Remarks" a detailed statement of the work performed during the month should be given. All work performed for other Government agencies should be itemized and explained in detail with an estimate of the time devoted thereto.

(Sgd.) FRED W. JOHNSON,
Commissioner.

Encs.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

IN REPLY PLEASE REFER TO
☞ ______________________

APR 14 1939

ORDER NO. 43.

During the summer schedule of office hours beginning Monday, April 17, the lunch period for all employees of the General Land Office will be from 11:45 to 12:15.

FRED W. JOHNSON
Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

APRIL 14, 1939.

IN REPLY PLEASE REFER TO

☞ --

ORDER NO. 44.

During the summer schedule of office hours beginning Monday, April 17, chiefs of divisions will arrange for at least one employee in each division to work from 9 to 4:30, one o'clock on Saturdays. After the office closes for the day this employee will sit in or near the chief's room where he will be available to answer the telephone and any questions concerning the work of the division with which he may be familiar.

Also during the summer schedule attorneys of the law division in rotation for periods of one week will work from 9 to 4:30, one o'clock on Saturdays, in order that one attorney may be available for consultation and to answer legal questions that may arise after the closing hour.

FRED W. JOHNSON

Commissioner.

59386

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 21, 1939

ORDER NO. 45.

There is hereby established in the General Land Office a docket system for recording the actions taken on cases. This record will be kept on Form 4-955, a supply of which will be furnished each division.

A docket card will be prepared for each case now pending in the divisions and for each case hereafter received, until all cases have been docketed.

The docket card will show the office of origin, serial or other identifying number, name and post office address of applicant or claimant and a description of the lands involved. If the description is long, only the sections, townships and ranges need be entered.

A concise and accurate statement of all previous actions taken on a case should be recorded chronologically on the docket card, and thereafter each action should be noted as it occurs.

When final action is taken on a case, the docket card will be so noted, withdrawn from the division files and sent to the Mail and Files Division for filing with the case.

When a case is received in the division, the card will be removed from the docket file and placed in a pending file. When action is taken on the case, appropriate entry will be made on the card, and it will be restored to the docket file unless further action is to be taken within a specified period or a reasonable time, in which event the docket card will be filed in a special file which will serve as a tickler or call-up system. This special file will replace all informal tickler systems now being maintained in the divisions or by individual clerks. It will be checked daily to determine what cases must be taken up for further action.

The docket cards will accompany all cases referred to other divisions, and "dummy" cards will be placed in the docket file of the division of origin. The dates of reference and the divisions to which referred will be noted on these "dummy" cards.

For the present the docket system will not effect the discontinuance of the 3 x 5 card system maintained in connection with Division "D" records, nor will the practice of noting the action taken on the backing sheet of cases be discontinued at this time.

All entries on the docket record must be typewritten. One clerk in each division will be assigned to this work and charged with the responsibility of keeping it accurately and up to date. If it is found that the docket work does not occupy all of this employee's time, he may be assigned to other duties, but maintaining the docket record must be his primary duty and responsibility.

The docket cards must not be removed from the file except for the purpose of making notations thereon and may not be taken from the room.

Once each week the docket clerk will report to the chief of the division the number and status of all cases pending in the division.

Chiefs of divisions will at once submit requisitions for the number of docket cards and filing cases required to initiate the docket system.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 17, 1939

ORDER NO. 47.

Effective immediately notations on the new type serial registers described hereafter and to be maintained in the district land offices must be typewritten. Notations on existing serial records may be continued in longhand.

District land offices will use the new type serial register (one of which is being sent to each office under separate cover) for which a new serial register sheet, form 4-954, and the continuation sheet, form 4-954a, are authorized. An initial supply of these sheets is being sent to each office, and Registers will submit promptly requisition for such additional quantities of the forms and covers as may be needed to meet office requirements.

The new type serial register should be commenced as soon as the series of numbers in a District Land Office reaches a number ending with 250, 500, 750, or 1000.

Only one serial number should be assigned to a sheet. Entries relating to this number are to be continued on the back of the sheet. After the first sheet has been filled in on both sides, the entries should be continued on form 4-954a.

The covers are designed to accommodate 250 serial numbers, and when that number is reached, a new book should be opened. It is believed that the covers afford sufficient expansion to accommodate whatever continuation sheets may be necessary in the 250 cases in each book.

For the purpose of identification the serial numbers should be stamped on the pages in black ink with a numbering machine. There is no objection, however, to the serial numbers being typewritten on continuation sheets when they become necessary.

A wide column for the date has been provided in order that it may always be writtin out, thus "Mar. 12, 1939", and the practice of writing dates numerically, "3/12/39", should be discontinued. General notations should not run over into the date column.

This new size of serial register sheet has been adopted so that notations may be typewritten with standard carriage machines. The new type of cover is designed to permit easy removal and replacement of individual sheets.

(Sgd) Fred W. Johnson,

Commissioner.

ADDRESS ONLY THE COMMISSIONER OF THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

MAY 22, 1939

IN REPLY PLEASE REFER TO

☞ --

ORDER NO. 48.

There is hereby established a Board of Review to consider efficiency ratings and other personnel matters. This Board will consist of

Joel David Wolfsohn	Assistant to the Commissioner
Thomas C. Havell	Technical Adviser
Luther R. King	Executive Assistant

FRED W. JOHNSON

Commissioner

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 22, 1939

ORDER NO. 49.

Section 6 of the Treasury-Post Office appropriation act for the fiscal year 1940 (Public No. 65--76th Congress) provides,

> "On and after July 1, 1939, no executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, mail concerning the sale of Government securities, and all forms and blanks necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment or such transmission is required by law. For each quarter, beginning with the quarter commencing July 1, 1939, the head of each independent establishment and executive department (other than the Post Office Department) shall submit to the Postmaster General, within thirty days after the close of the quarter, a statement of the weight of the mail matter by classes of mail that the independent establishment or department has transmitted free of postage during such quarter, and he shall also certify to the Postmaster General at the end of each such quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: Provided, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins or of lists of public documents which are offered for sale by the Superintendent of Documents: Provided further, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries."

All officers and employees of the General Land Office are instructed strictly to observe the above provision of law.

In order that the required report may be made to the Secretary, beginning with the quarter commencing July 1, 1939, all divisions and field offices of the General Land Office will submit to the Commissioner within 10 days after the end of each quarter a statement showing the weights of the various classes of mail matter transmitted free of postage during such quarter together with a certificate that nothing was transmitted in violation of Section 6 of the Treasury-Post Office Appropriation Act, approved May 6, 1939.

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO:

50

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

May 31, 1939

ORDER NO. 50

INSTRUCTIONS TO DISTRICT LAND OFFICES CONCERNING APPLICATIONS TO EXCHANGE PERMITS FOR LEASES

There are pending in the district land offices applications filed pursuant to the act of August 21, 1935, to exchange oil and gas prospecting permits for leases, in connection with which the applicants have failed to execute and return the bond and lease forms after due notice. In the interestoof proper administration it is essential that these applications for exchange should either be completed or finally rejected. In order to afford the applicants a final opportunity within which to complete the exchange, the Registers will immediately allow the parties in interest an additional period of 30 days from notice within which to execute and return the bond and lease forms or suffer the final rejection of their applications.

Upon the expiration of the additional time allowed, the Registers will transmit, with evidence of service, all such cases to the General Land Office.

(SGD.) FRED W. JOHNSON

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

ORDER NO. 51

June 2, 1939

Reports requested, by counties and townships, as to area of unappropriated and unreserved public lands; as to certain areas within grazing districts; and as to areas included in pending entries.

Each register will report, IN DUPLICATE, by counties and townships, on blank forms (4-349 revised), the area of unappropriated and unreserved public lands in his land district as of June 30, 1939. For the purpose of this report, lands withdrawn by Executive Orders of November 26, 1934, or February 5, 1935, Nos. 6910 and 6964, respectively, will be considered as unreserved.

It is requested that such reports be forwarded not later than July 20 and that reports transmitted on or after July 17 be sent by air mail.

Townships should be arranged in numerical order and where a township is within more than one grazing district the acreage of the township within each of such districts must be shown. These data are necessary to effect the proper distribution of certain receipts to the counties after the close of each fiscal year. Each register is requested to exercise especial care in making this report in order that it may be as accurate as possible.

The data as to the surveyed land should be obtained from the township plats, but the area of the unsurveyed lands must necessarily be estimated. Registers will not report any lands which are within a national forest, national park or monument, Indian, military or other reservation, except as hereinafter indicated.

As to grazing districts the following classes of public lands will be treated as unappropriated and unreserved:

(a) Public lands not covered by any application, entry, selection, location or purchase, as shown by the records of the district land office.

(b) Public lands in applications to enter, select, locate or purchase.

(c) Public lands included in permits or leases under the mineral leasing act or applications therefor.

(d) Public lands in power site reserves (Instructions of Mar. 11, 1937 - "K" 1674956).

(e) Public lands embraced in public water reserves.

(f) Public lands withdrawn for proposed national monuments or parks.

(g) Public lands embraced in stock-driveway withdrawals.

(h) Public lands embraced in coal, oil and gas, oil shale, phosphate, sodium, sulphur and potash withdrawals and classifications.

(i) Public lands withdrawn for classification or in aid of legislation, not included in the foregoing classes.

Areas in grazing districts embraced in withdrawals under the Reclamation Act will not be treated as unappropriated and unreserved.

The information desired as to grazing districts is the net area in each township and county subject to grazing district administration on June 30, 1939.

The areas to be reported on the left-hand side of the form under the heading "Unappropriated and unreserved" should not include any lands reported under the heading "Within established grazing districts." Such areas should include all lands which could be classified and opened to entry under the nonmineral public land laws either with or without mineral or other reservation and also lands in reclamation projects which are subject to entry. Areas included in outstanding grazing leases under Sec. 15 of the Taylor Grazing Act should be listed as unappropriated and unreserved.

All columns should be totaled and fractional parts of an acre should not be shown. Where the fraction is less than one-half acre it should be disregarded, and where the fraction is one-half acre or more the whole number should be increased one acre.

Lands withdrawn for resurveys should be reported as unsurveyed.

Each register will prepare a summary of the areas within grazing districts under each of the classes (a) to (i), inclusive, listing the acreages on a form which will be furnished for that purpose. The totals of the summary for each county must, of course, agree with the county totals.

Each register will also submit, in duplicate, on or before August 1, 1939, statements showing the aggregate number and area of homestead and other entries of record in his district which segregate the land and upon which final proof of compliance with the law has not been presented before July 1, 1939. In order to show clearly the information desired, the statements should be in the following form:

	No.	Acres
Entries of ceded Indian lands upon which acceptable final proof received but final certificate awaits payment ...		
Entries under the reclamation act upon which acceptable final proof received but final certificate awaits final reclamation proof		
All other homestead entries		
All other entries, not including pending applications for exchange		
Total pending unperfected entries		

Each register will acknowledge receipt hereof on enclosed form 4-272a, indicating thereon the number of blank forms (4-349 revised) needed.

(Sgd) Fred W. Johnson,

Commissioner.

Enclosure.

64821

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 7, 1939

Collection of
Grazing License Fees

ORDER NO. 52.

Effective July 1, 1939, the Division of Grazing will be responsible for the collection of grazing license fees on lands within grazing districts created under the Taylor Grazing Act of June 28, 1934, (48 Stat. 1269).

Therefore, after June 30, 1939, Registers of district land offices shall not make any such collections. Where license fees are tendered in person they should be refused. Checks, drafts, and money orders drawn payable to registers should be endorsed over their signatures "for deposit to the credit of the Treasurer of the United States", and transmitted each day to the proper Regional Graziers under cover of a letter itemizing all enclosures. Payments received in the form of currency must be returned in the form received to the senders by registered mail together with instructions to make payment to the proper Regional Graziers.

Grazing license fees received prior to July 1, 1939, will be applied at the end of the usual 60 day period as heretofore. No license fees should remain unapplied after August 31, 1939, in cases where the licenses have been delivered.

On August 31, 1939, Registers will prepare, in quadruplicate on form 4-103g, a list of all moneys tendered as grazing license fees, in cases where licenses have not been issued, or remaining as "surplus payments". One copy of this list must be sent immediately to the proper Regional Grazier, one retained in the district office, the original and other copy to be transmitted to this office with the regular accounts. When these lists have been checked in this office the district offices will be instructed to make transfer of the total amount in their accounts.

Immediately after June 30, 1939, you will return all undelivered licenses and copies thereof to the proper Regional Graziers. Copies of all delivered licenses (and related papers where assembled in folders) will be delivered to the Regional Graziers upon their request and may be transferred to their offices at the expense of the Division of Grazing. Filing cases will not be transferred without special instructions from this office in particular instances.

(Sgd) Fred W. Johnson,

Commissioner.

66257

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1773390 "C" June 16, 1939.

Order No. 53

INSTRUCTIONS TO REGISTERS
OF DISTRICT LAND OFFICES.

Section 7 of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), relative to classification and opening of the public lands to entry, reads in part: "Such lands shall not be subject to disposition, settlement or occupation until after the same have been classified and opened to entry:".

Paragraph 7 of Circular 1353b, dated June 29, 1937, containing the regulations under the act is as follows:

> "RIGHTS SECURED BY FILING OF APPLICATION. The filing of an application for classification and opening of the land, accompanied by application to make entry, selection or location, does not give the applicant the right to occupy or settle upon the land applied for, but will segregate the lands applied for from other disposition under the public land laws, subject to prior valid adverse claim, except that at all times the mineral contents in the land shall be subject to prospecting, locating, developing, mining, entering, leasing or patenting under the provisions of the applicable laws. The applicant shall be entitled to the possession and use of the land only after his entry, selection or location has been allowed."

It has been reported that in a number of instances applicants for entry are occupying the lands applied for in advance of appropriate classification and the opening of such lands to entry.

In all cases where the allowance of an application for entry is contingent upon the proper classification and the oprning of the land to entry, registers will add at the bottom of the notice (Form 4-362), issued to the applicant, a paragraph reading substantially as follows:

> Your attention is called to paragraph 7, page 6, of Circular 1353b, herewith enclosed. Settlement upon or occupation of the land applied for prior to notice of the allowance of your entry, constitutes a trespass.

Fred W. Johnson
Commissioner.

66521

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 20, 1939

ORDER NO. 54.

In order that there may be uniformity in the use of abbreviations on the plats and tract books indicative of the various applications and entries involved throughout the General Land Office, including the field service, the following symbols have been adopted and hereafter should be used in noting the applications on the records.

Standard Symbol	Kind of Entry Indicated
CE	Cash Entries (old).
Coal	Coal Entries (old).
Coal Lic	Coal Licenses.
DLE	Desert Land Entries.
FX	Forest Exchanges.
Gr. Lse	Grazing Lease Applications.
SRHE	Stockraising Homesteads.
HE	All other homesteads.
IA	Indian Allotments.
IT	Isolated Tract Applications.
LS	Lieu Selections (or scrip).
MBLW	Military Bounty Land Warrants.
ME	Mineral Entries.
Min. Lse	Mineral Lease App'lns (indicate kind).
Pre	Preemption Entries (old).
PP	Prospecting Permits (indicate kind).
PX	Private Exchanges.
RR	Railraod Selections (orig. & indemnity).
RDS	Reservoir Declaratory Statements.
R/W	Rights of Way.
SS	State Selections (orig. & indemnity).
SX	State Exchanges.
TC	Timber Culture Entries (old).
T&S	Timber & Stone Entries.

Other entries may suggest themselves for which no symbols are indicated, and in such cases an appropriate abbreviation or symbol not in conflict with the above should be adopted and the Commissioner notified so that, if acceptable, the new one may be added to the list and all offices informed thereof.

(Sgd) Fred W. Johnson,
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 20, 1939.

ORDER NO. 55

Instructions relative to the preparation and numbering of supplemental plats on form 4-590B for special purposes.

Some district land offices are now engaged in the work of copying worn, mutilated and defaced township plats, and a number of them are also preparing on form 4-590B separate supplemental plats on each one of which are indicated those land areas which are withdrawn or classified for particular purposes, and in that manner will separate and segregate onto them the miscellaneous data usually found on the margins of the regular plats.

In order that there may be uniformity throughout the district land offices it is desired that these supplemental plats, when prepared, be identified by a number, and that plats of similar import be numbered identically in all the offices. Therefore, whenever such plats are prepared, they should be given the appropriate identification numbers indicated herein, and wherever several are made for any township, they will be assembled in numerical order next to and following the regular township plats to which they relate.

Identification number	Type of withdrawal or classification.
1. Coal.	Lands withdrawn or classified as coal.
2. Oil & Gas.	Lands withdrawn or classified as valuable for oil or gas.
2-a Producing Structures.	Areas within designated oil or gas producing structures.
2-b Unitization areas.	Areas affected by approved unit plans.
3. Oil shale.	Areas withdrawn or classified as valuable for oil shale.
4. Water Power Act.	Areas withdrawn under the Federal Water Power Act.

Identification number	Type of withdrawal or classification
5. Water Power Act.	Showing in green areas restored to agricultural entry under Sec. 24 of the Act of June 25, 1910; and in red those areas restored under Sec. 24 to mineral location.
6. Power sites.	Areas withdrawn for power sites as distinguished from areas affected by the Water Power Act.
7. Boundaries.	Plat on which should be shown miscellaneous boundaries. County lines in red; grazing district lines in green.
8. Range Improvement Projects.	Plat showing areas on which range improvements have been made under the Taylor Grazing Act.
9. Game Refuges.	Areas withdrawn as bird or game ranges or refuges.
10. Aviation.	Areas withdrawn for landing fields, beacon sites, etc.
11. Reclamation - 1st form.	Areas withdrawn under 1st form reclamation.
11-a Reclamation - 2nd form.	Areas withdrawn under 2nd form reclamation.
12. Potash.	Areas, withdrawn, classified or reserved as valuable for potash.
13. Phosphate.	Areas withdrawn, classified or reserved as valuable for phosphate.
14. Sodium.	Areas withdrawn, classified or reserved as valuable for sodium.
15. Sulphur.	Areas withdrawn, classified or reserved as valuable for sulphur.
16. Asphalt, etc.	Areas withdrawn, classified or reserved as valuable for asphalt, gilsonite or elaterite.

Identification number	Type of withdrawal or classification
17. Farm Security Adm'n.	Areas withdrawn or reserved for administration by the Farm Security Administration, (soil conservation, resettlement, etc.).
18. Naval - Oil, Helium, shale.	Areas withdrawn or reserved as naval oil reserves, helium reserves, or naval oil shale reserves.
19. Pending legislation.	Areas withdrawn pending, or in aid of legislation, when no particular type indicated.
20. Irrigation Districts.	Areas affected by the Act of August 11, 1916.
21. Recreational sites.	Areas reserved or withdrawn for recreational sites (not lands leased to cities or towns).
22. Springs - hot or medicinal.	Areas withdrawn as valuable for hot or medicinal waters or springs.
23. Grazing districts.	Areas within and withdrawn as grazing districts.
Stockdriveways.	No special plat - but indicate by shading in green on plat No. 7.
Public Water Reserves.	No special plat - but indicate by use of a symbol on plat No. 7.

(Sgd) Fred W. Johnson,

Commissioner.

56

67961

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 5, 1939

ORDER NO. 56

Circular No. 375, approved January 22, 1915, reads in part:

> * * * * All withdrawals, reservations, classifications, designations under the enlarged homestead act, and similar orders affecting the disposition of the land should be noted on the margin of the plats as well as on the tract books.

It is recognized that, in view of the continual increase both in the number and length of such orders, that a point has been reached where frequently there is insufficient space left on the plat margins for further notations of this kind. Accordingly, that part of Circular No. 375 quoted above is hereby amended to read:

> * * * All withdrawals, reservations, classifications, designations under the enlarged or stockraising homestead acts, and similar orders affecting the disposition of the land, timber, water or minerals must be noted on the tract books. Wherever there is sufficient space remaining on the margins of the old plats proper notation on the margins may be continued; but where the marginal space has been exhausted, or marginal notation appears impracticable because of the poor physical condition of a plat, proper notation on the tract book will be sufficient, provided, that there is clearly and distinctly written on the plat margin: "CAUTION, for withdrawals, classifications, etc., also see the tract book."
>
> Whenever any worn or mutilated plats are recopied, all such notations now appearing on the margin of the old plats must be copied into the tract books; and on the margin of the new copy will be written only: "CAUTION, for withdrawals, classifications, etc., see the tract book." This same practice will be followed in connection with any new plats being filed for the first time.

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO:

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THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

July 19, 1939

ORDER NO. 58

Effective immediately all requisitions for photostat work will be prepared for the signature of the Acting Chief, Administrative Division. The requisitions will be initialed by the Chiefs of the Divisions preparing them before submission for signature.

(Sgd.) Fred W. Johnson

Commissioner.

IN REPLY REFER TO:

"A"

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UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

JUL 20 1939

ORDER NO. 59.

Effective at once Division "O" is charged with the responsibility of reading the Federal Register daily to see that all orders appearing therein affecting the public lands are properly noted on the tract books.

Division "D" will continue as at present to clip such orders from the Federal Register and send them to the proper division for promulgation. The examination of the Federal Register by Division "O" will serve as a check against Division "D" and other divisions which promulgate the orders.

The orders will not be posted on the tract books until they are promulgated by the divisions handling them. A list of all orders affecting the public lands will be maintained by Division "O" and as the orders are received from the various divisions and posted on the tract books, the list will be so noted. In case an order is not received by Division "O" within a reasonable time, the matter will be called to the attention of the division handling it.

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 21, 1939.

ORDER NO. 60.

INSTRUCTIONS TO REGISTERS RELATIVE TO THE FILING OF PAPERS.

In order that there may be uniformity in the manner in which certain papers, such as right-of-way maps, field notes, grazing leases, etc., are filed in the district land offices, the following instructions are given:

1. Duplicate maps and field notes in approved right-of-way cases are to be placed in the large (10" x 15") manila envelopes, together with all related correspondence in each case. Maps and field notes may be folded, when necessary. When the papers cannot be enclosed in one envelope, then several may be used, but each must be numbered and bear a reference to the other envelopes in that particular case, all being securely tied together. All envelopes must be plainly marked with the name of the project when one is given, such as "Eagle Pass Reservoir", or "Hawthorne Ditch", and with the name of the applicant. The serial number, if any, must be written in the upper left-hand corner. The cases must be kept in cap-size drawers, arranged serially, if so numbered. If not assigned a serial, the cases should be filed under the name of the project, when one is given, otherwise under the name of the applicant. New index cards must be prepared for all cases not assigned a serial number. The cards will be kept in the regular office index, arranged alphabetically under the name of the project and applicant when both are given, otherwise under the name of the applicant.

2. All copies of papers in connection with each grazing lease application now required to be held in the district land offices, except General Land Office correspondence, must be collected and arranged chronologically, the last paper received to be placed on top. No change will be made in the present method of filing General Land Office letters. Such letters, which relate to one or more serial number cases, will be filed chronologically as heretofore. Where the cases are not bulky, the assembled papers, when fastened together at the top, are to be placed in the 10" x 15" manila envelopes, or folders when available. Where the bulk of a case prohibits the use of an envelope, or folder, the assembled papers should be protected by a suitable backing sheet (form 4-220) and facing sheet (requisition No. 837). A supply of those sheets may be obtained from the General Land Office, upon requisition. The cases must be kept in cap-size filing drawers, arranged serially, each case to be plainly

marked in the upper left-hand corner, as provided for on form 4-220, with the serial number or numbers. There is no objection to the cases being filed serially under three separate headings:

(a) Pending Applications for Lease;
(b) Existing and Outstanding Leases;
(c) Closed Applications and Expired Leases.

3. All office copies of applications to select and approve state, and railroad lists should be collected and separated into the following groups:

(a) Office copies of state applications;
(b) Office copies of railroad applications;
(c) Copies of approved state lists;
(d) Copies of approved railroad lists.

They also should be arranged in the order of the respective list numbers, except those which have been assigned serial numbers, and which should be arranged serially. When so arranged, they may be kept in any available filing equipment, but there is no objection to wrapping them in bundles of moderate size, all bundles to be marked on both ends as to the specific contents and kept in any appropriate place in the office.

4. If additional filing drawers are found necessary to accommodate the right-of-way and grazing lease cases, request for such equipment may be made of the Treasury Department, through the Custodians in charge of the Federal buildings in which the district land offices are located.

5. There are attached a copy each of the above-mentioned backing and facing sheets.

(Sgd) Fred W. Johnson,

Commissioner.

Attachments.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 21, 1939.

ORDER NO. 61.

INSTRUCTIONS TO FIELD OFFICES RELATIVE TO ACCOUNTING FOR TELEPHONE AND METERED SERVICE.

Hereafter bills for metered service, such as gas, electricity, water, steam, and the like, and for telephone services, where the period covered by the charge begins in one fiscal year and ends in another, may be regarded as a charge against the appropriation current at the end of such period, and not apportioned or split between the two fiscal year appropriations. This is pursuant to the Act approved April 26, 1939, Public No. 59, 76 Congress, which reads as follows:

> Hereafter, in making payments for commodities or services the quantity of which is determined by metered readings, such as gas, electricity, water, steam, and the like, and for telephone services, where the period covered by the charge begins in one fiscal year or allotment period and ends in another, the entire amount of the payment may be regarded as a charge against the appropriation or allotment current at the end of such period.

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO: "4"

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UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

AUG -1 1939

ORDER NO. 62

Effective immediately, Division "C" will resume the practice of posting the numbers and dates of patents on the tract books, which practice was discontinued in 1938. Division "U" will send the records in currently issued patented cases to Division "C" for that purpose.

(sgn) Fred W. Johnson
Commissioner.

IN REPLY REFER TO:

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DEPARTMENT OF THE INTERIOR
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WASHINGTON

1787004

72764

Stites
Hoffman
Bradshaw
Altizer
Keefer
Fisher

August 14, 1939

1 to each Register

ORDER NO. 63

INSTRUCTIONS TO DISTRICT LAND OFFICES CONCERNING THE NOTATION OF FINAL REJECTION OF APPLICATIONS TO EXCHANGE PERMITS FOR LEASES.

Applications to exchange oil and gas permits for leases filed under the amendatory oil and gas leasing act of August 21, 1935 (49 Stat. 674), upon which action has not been taken by the applicants after due notice, will be finally rejected on Form 4-252.

When the register receives such letters, he will note only the rejection of the applications for exchange. He will not note the termination of the permits involved until specifically instructed to do so.

(Sgd.) Fred W. Johnson
Commissioner.

IN REPLY REFER TO:

1781074 "A"

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WASHINGTON

King
Cunningham
Wolfsohn

September 19, 1939

ORDER NO. 64.

The following personnel of district land offices are hereby designated as members of a committee to consider and report on district land office problems in accordance with the suggestions made at the recent conference of Acting Registers:

Arvid T. Johnson, Chairman	Los Angeles, Calif.
Gene Adams	Pierre, S. D.
Fred R. Bessey	Pueblo, Colo.
Frank D. Brown	Blackfoot, Ida.
Marlin G. Livermore	Las Cruces, N. M.
Fred J. Peterson	Cheyenne, Wyo.
Miss Frances Reilly	Denver, Colo.

The committee should submit its report to me not later than three months from the date hereof.

(Sgd.) Fred W. Johnson

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

ORDER NO. 65. October 9, 1939

INSTRUCTIONS TO REGISTERS RELATIVE TO SUSPENDED APPLICATIONS AND PROOFS.

In order to assist the General Land Office in making a check of pending applications, proofs, etc., there is being forwarded to the district offices a supply of cards similar to the one attached.

Upon receipt of the cards, the registers will go through the lists of "Unearned Moneys" last submitted, and the abstracts of collections for all subsequent months to and including September 1939, and will prepare a card for each serial item appearing thereon in connection with which moneys are being carried as unearned. When that has been done the cards should be arranged serially, and from the serial registers filled out with the other information called for on the cards.

Since the unearned lists do not disclose all applications, exchanges, proofs, etc., which are suspended, it is directed that the serial registers be carefully examined and cards prepared for all suspended cases not shown on the lists or abstracts of collections. The cards should indicate specifically whenever the applications or proofs involve "Reclamation Lands" or "Indian Lands."

Under the heading on the cards "Why case suspended" indicate the cause for suspension, for instance: "Reduction cultivation;" "Further residence;" "Add'l improvements;" "D. I. request;" "2nd Entry - D. I. report;" "Appraisal by D. I;" "Further payments," etc. Where adverse proceedings have been initiated after final proof the status of the contests should not be given. The cards should merely indicate that the proofs remain suspended because of contests.

Care should be taken not to submit two cards bearing the same serial number, except where there may be two types of applications involved, i. e., to enter, and, to amend.

When completed, the cards should be transmitted to the General Land Office. If several packages are required for the shipment of the cards, each package should be numbered, bear a referance to the others, and marked "Order No. ____."

If the supply of cards supplied is insufficient for the needs of any office, the information requested should be furnished on plain white sheets, 5" x 8", since there are no additional cards available for distribution.

This Order does not apply to Alaska.

(Sgd) Fred W. Johnson

Attachment.

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 11, 1939

ORDER NO. 66

To facilitate the bookkeeping work of the General Accounting Office, beginning with the month of October 1939, when the register and acting register both make collections during the same month, the abstract of moneys received (form 4-103g) should show the names of both officials in the space provided for the name of the receiving officer at the top of the abstract, as follows: "Abstract of Moneys Received by John Smith, Register, and James Brown, Acting Register."

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 16, 1939

ORDER NO. 67

All instructions issued to this office by the Secretary of the Interior and other departmental officials should be treated as confidential, and no copies of the correspondence, including our request for instructions, will be furnished the public. Whenever the instructions relate to a public land case, the correspondence should be placed in the confidential portion of the record.

(Sgd) Fred W. Johnson,
Commissioner.

79643

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 20, 1939

ORDER NO. 68

Schedules to be furnished to Regional Graziers by Registers.

Whenever any applications to enter, select, lease or exchange are hereafter filed in the district land offices involving lands within established grazing districts, or whenever entries therein shall be amended, relinquished or cancelled, registers will forward semi-monthly to the proper Regional Graziers, in duplicate on Form 4-115, schedules prepared in the manner prescribed by paragraph 52, Circular No. 616, and by Circulars Nos. 410 and 417. A copy of each schedule prepared must be retained in the district office for future reference.

Applications under the Mineral Leasing Act need not be reported on the schedule.

Fred W. Johnson
Commissioner.

125960

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 16, 1940.

ORDER NO. 68-a

Order No. 68 directs that Registers of district land offices shall furnish the proper Regional Graziers semi-monthly with a schedule of applications to enter, select, lease or exchange filed in their respective offices, involving lands within established grazing districts.

In the future an additional copy of such schedules will be prepared and forwarded to the Director of Grazing, Department of the Interior, Washington, D. C.

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO:

ADDRESS ONLY THE
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UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

NOV 4 - 1939.

ORDER NO. 69

INSTRUCTIONS TO REGISTERS

This office is preparing for transmittal to you a sufficient quantity of forms to be used in connection with the exchange of oil and gas permits, which terminate on December 31, 1939, for leases. A list of the serial numbers of such permits is enclosed for your information and guidance.

Form letter No. 4, copy attached, should be sent to each record title holder as soon as practicable.

Lease forms should be prepared in sextuplicate and not in septuplicate as was the practice last year, except where the land is embraced in a national forest or in a reclamation withdrawal, in both of which cases one additional copy of the lease form will be prepared, making seven in all. Three copies of the exchange lease are to be executed by the proposed lessee as heretofore. You will also require the execution of three copies of the form of stipulation instead of one, in cases where any of the lands involved are determined to be within a reclamation or forest withdrawal.

(Sgd) Fred W. Johnson

Commissioner.

82716

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

November 18, 1939

ORDER NO. 70

Registers of the district land offices are requested to keep this office informed on public opinion in their districts relating to public land matters. They will hereafter, at least once a week or more often if necessary, send to the Commissioner clippings from local newspapers in the district in which matters affecting the Federal lands are reported. Editorial comment also should be submitted.

Clippings should be mounted on letter size paper and should show the name of the publication and the date on which the item appeared.

(Sgd) Fred W. Johnson,
Commissioner.

IN REPLY REFER TO:

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UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

NOV 18 1939

ORDER NO. 71

Hereafter it shall be the duty of the Division of Accounts to do all the accounting work in connection with the allotment for expenses of hearings in land entries, under the appropriation "General Expenses, General Land Office," to act upon requisitions for allotments submitted by the Division of Investigations, to keep a record of the hearings held and the expenses incurred, and to do such other work as may be necessary to maintain control of the hearings allotment and a complete record of the expenses thereunder.

(Sgd) Fred W. Johnson
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

November 24, 1939

ORDER NO. 72.

Circular No. 1459 dated August 7, 1939, prescribes certain rental charges for the occupancy and use of public lands for rights-of-way for telephone and telegraph lines, tramroads, and oil or gas pipe lines, and for the occupancy and use of public lands for reservoirs, water plants, well sites, etc., and for pumping stations or other structures in connection with the operation and maintenance of oil or gas pipe lines. Such rental charges are required to be paid to the registers of the district land offices.

In accordance with a decision of the Comptroller General of the United States dated August 30, 1937 (17 Comp. Gen. 196), rentals so paid to the registers constitute a part of the "moneys received" which properly may be used as a basis for computing the commission otherwise due registers pursuant to section 2238, Revised Statutes, 43 U. S. C. 82.

Therefore, registers shall include in the computation of their earnings 2 percent of the moneys received by them in payment of the rentals required by circular No. 1459.

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO:

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DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
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NOV 28 1939

ORDER NO. 73

INSTRUCTIONS TO OFFICERS CONDUCTING SALES OF LEASES UNDER THE LEASING ACTS

Hereafter, officers conducting sales of leases (other than coal leases) by competitive bidding under the leasing acts, pursuant to the direction of the Commissioner of the General Land Office, will, at the conclusion of the sale, submit a full and detailed report to the Commissioner, by air mail letter, of the proceedings had at the sale. The regular report required by the governing regulations should be transmitted in due course as usual.

(Sgd) Fred W. Johnson
Commissioner.

I concur:
NOV 29 1939
(Sgd) W. C. Mendenhall
Director, Geological Survey.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 7, 1939

Order No. 74

REGISTERED LETTERS.

Letters which are registered by the General Land Office or the district land offices shall have endorsed upon the envelopes a request for return receipt, or, if undelivered or unclaimed, that the letter be returned only after 30 days (or after such other period as the request may specify).

Upon return of a registered letter because undelivered or unclaimed, should it appear upon examination of the postmarks that it was not held for the required period, the letter should not be opened but should be enclosed in another envelope, not registered, and returned to the postmaster, calling his attention to the fact that the letter was not held for the period specified by the endorsement on the envelope, and requesting that, irrespective of the reason for nondelivery, the letter be so held before returning it, and that the date of second receipt and the date of second return be postmarked thereon and the reason for nondelivery shown.

(Sgd) Fred W. Johnson,
Commissioner.

IN REPLY REFER TO:
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UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

DEC 12 1939

ORDER NO. 75

Establishing a contract numbering agency in
the Alaskan Fire Control Service.

There is hereby established in the office of the Senior Forester, Alaskan Fire Control Service, Anchorage, Alaska, a new contract numbering agency, to which is assigned symbol I 7 g- .

Pursuant thereto all formal contracts originating in the Alaskan Fire Control Service, except those involving Civilian Conservation Corps funds, will be numbered in the office of the Senior Forester before being transmitted to this office.

Contracts involving expenditures from Civilian Conservation Corps funds will be numbered in this office.

(Sgd) Fred W. Johnson

Commissioner.

Copy for GAO

McDonald

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 15, 1939.

Order No. 76.

INSTRUCTIONS TO THE REGISTERS

There are being transmitted to you under separate cover new instructions to applicants regarding the execution of exchange lease forms where no bond is required, pursuant to Circular No. 1464. Also transmitted are a sufficient number of attachments to be stapled to the lease forms as part of Section 2(a) on page 1 thereof in those cases where no bond is required, and a new form letter to be used in forwarding the lease forms to the applicants for execution. You will be guided by the following suggestions which are supplemental to previous instructions:

1. Before preparing lease forms, you will examine your records and ascertain whether any of the land is embraced in a patent, entry, sale, selection or other disposition under the act of July 17, 1914 (38 Stat. 509), with a reservation of the oil and gas to the United States. If none of the land in any case is affected by the provisions of that act, no bond will be required and you will transmit lease forms with the stipulation attached and with appropriate instructions regarding the execution of the forms.

When any of the lands involved in the case are affected by the provisions of the act of July 17, 1914, a bond will be required for the protection of the surface owner, and you will prepare the necessary bond and transmit it with the lease forms, together with instructions as to execution of the lease and bond forms in accordance with instructions heretofore transmitted to you.

2. All lease forms based on exchange of permits expiring December 31, 1939, will be dated as of January 1, 1940.

3. In ordinary cases six forms of leases will be prepared except where the lands are within a Forest or Reclamation withdrawal, or both, in which case additional forms will be prepared

for the Forest Service and the Reclamation Bureau as the facts warrant.

4. Campsite stipulations where lands are included in the Forest will be signed in triplicate.

5. On January 2, 1940, you will report to this office the number of applications to exchange oil and gas permits for leases which were filed on or prior to December 31, 1939.

6. Where the records are not clear as to whether the lands are covered by a reservation of the oil and gas to the United States under the act of July 17, 1914, you will request such information from this office by special letter.

(sgd) FRED W. JOHNSON

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 21, 1940.

ORDER NO. 78-A.

The list of appropriation accounts and General fund, Special fund and Trust fund receipt accounts maintained on the books of the Treasury Department, with the new symbol number for each account, transmitted with Order No. 78, dated December 29, 1939, is amended as shown on the attached sheet.

Miscellaneous Receipts: All miscellaneous receipt account symbols should be preceded by the prefix "14" which has been assigned to the Department of the Interior. These two figures will precede and be written together with the applicable symbol and not separated by a space, dash or other character.

Rental Charges for Rights-of-way, Circular No. 1459: Receipts collected in accordance with this circular will come within two classes, as follows:

(1) Receipts in connection with oil and gas pipe lines under Sec. 28 of the act of February 25, 1920 (41 Stat. 437), as amended by the act of August 21, 1935 (49 Stat. 674), which will be deposited under account "Receipts under Mineral Leasing Act of February 25, 1920" with the symbol number and name of State, applicable as shown on the attached sheet.

(2) Receipts for telephone, telegraph, water, and transmission lines, tramroads, etc., which will be deposited under account "140521 Rights-of-way for telephone, telegraph and tramroads".

(Sgd) Fred W. Johnson,

Commissioner.

Appropriation Accounts - Change

Old	New	
4S181 14X6208	14X6884	Payments to Counties, Oregon and California Grant Lands.
4S182 14X6209	14X6885	Payments to Counties in Lieu of Taxes on Oregon and California Grant Lands, 25 Per Centum Fund.

Miscellaneous Receipts - Addition
(With Prefix "14" added to New Symbol)

2734	142734	Fines and penalties - Public lands and reservations, trespass.
7621	145507	Fort Hall, Idaho, irrigation and water system.
7820	145508	Sale of Equipment (includes trucks, horses, cars, machinery, furniture and fixtures, and other capital equipment).
8655	147400	Yuma Reservation, California, irrigable lands, Act April 21, 1904.
8610	148435.1	Chippewas in Minnesota, Indian lands.
6022	146003.001	Receipts under Mineral Leasing Act of February 25, 1920 (Alabama)
	146003.002	do. (Arizona)
	146003.003	do. (California)
	146003.004	do. (Colorado)
	146003.005	do. (Idaho)
	146003.006	do. (Kansas)
	146003.007	do. (Louisiana)
	146003.008	do. (Montana)
	146003.009	do. (Nevada)
	146003.010	do. (New Mexico)
	146003.011	do. (North Dakota)
	146003.012	do. (Oklahoma)
	146003.013	do. (Oregon)
	146003.014	do. (South Dakota)
	146003.015	do. (Utah)
	146003.016	do. (Washington)
	146003.017	do. (Wyoming)
	146003.018	do. (Nebraska)

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 11, 1940.

Order No. 79.

Re cancellation of grazing leases for failure to pay rental.

Hereafter, this office will notify a grazing lessee, by ordinary mail, that the rental under the lease will become due on a certain date. If the rental is not paid when due a second and final notice will be sent to the lessee from this office by registered mail allowing 15 days from receipt thereof within which to pay to the proper district land office the rental due.

When the registry return receipt card is returned to this office showing the date the notice was received by the lessee or his agent, this office will promptly notify the proper district land office of the action taken and request a report at the expiration of 15 days from the date the lessee or his agent received the notice.

Upon receipt of report that no action has been taken within the time allowed the lease will be canceled.

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO:
"A"

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

JAN 30 1940

ORDER 80

All trespass work is hereby transferred to and consolidated in the Law Division under the supervision of L. W. Brady, Attorney.

Mr. John B. Piccolo is hereby detailed from Division "K" to the Law Division to assist Mr. Brady in the performance of the trespass work.

FRED W. JOHNSON
Commissioner.

91508

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

February 13, 1940

ORDER NO. 81.

In order that the decisions of the General Land Office may present a more formal appearance and conform to the quasi-judicial nature of the work, effective immediately the practice of preparing them in letter form addressed to the Registers of district land offices will be discontinued.

All decisions of the Commissioner or Assistant Commissioner will be prepared in the form indicated by the attached specimen. Until a supply of Decision forms can be procured, the regular letterhead will be used with the word "Decision" typed in capital letters in the center of the page underneath the word "Washington."

The decision will be transmitted to the Register in the same manner as heretofore, together with sufficient copies for his files and service on interested parties. A letter of transmittal will not be necessary.

The Register will take action on the decision in accordance with the usual practice, except that he will transmit the original to the claimant and retain a copy in the district land office files.

This order does not apply to correspondence which does not involve a decision in a public land case.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

DECISION

John Doe	:	Homestead Application
	:	Los Angeles 034761 "N"

Final Proof Rejected

or

James Smith	:	Grazing Lease
	:	Cheyenne 076413 "K"

Lease Granted

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 30, 1940

Order No. 83

Rights of grazing lessee under petition for renewal.

Numerous inquiries have been received from holders of grazing leases under section 15 of the Taylor Grazing Act, as to their rights to the exclusive grazing use of the lands involved after the expiration of such leases and prior to the execution of a new lease based upon a petition for renewal.

The Department has held that the timely filing of a petition for renewal is sufficient notice that the lessee intends to continue to use the lands for grazing purposes, and, therefore, is entitled to the exclusive grazing use of the lands pending action by this Department on the petition for renewal. If a new lease is later issued, based upon a petition for renewal, the new lease will be dated the day following the expiration of the expired lease, and the lessee will be required to pay the rental from that date.

The Registers will, as provided by existing instructions, see that lessees file their petitions for renewals in ample time to avoid any hiatus between the expiration of the existing leases and the issuance of renewal leases.

(Sgd) Fred W. Johnson

Commissioner.

IN REPLY REFER TO:
"A"

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

Jun 14 1940

ORDER NO. 85

A record of approved abstract companies is maintained in the Mineral Division. In order that this record may be complete and kept up to date, all matters relating to the approval of abstractors will be referred to the Mineral Division for appropriate action. In the adjudication of cases involving abstracts of title the record in the Mineral Division will be consulted for the purpose of ascertaining whether the company furnishing the abstract has been approved by this office.

In cases where title insurance is acceptable, the necessary action relating to the approval of the insurance company will be taken by the Indian Lands Division, which division will maintain a current record of all title insurance companies approved for such purpose.

(Sgd) Fred W. Johnson
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

June 14, 1940.

Order No. 86.

PREPARATION OF THE ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 1940.

Material for the annual report of operations of the General Land Office for the fiscal year ended June 30, 1940, will be prepared as follows:

1. Each Division of the General Land Office will prepare a statement of its work in such form that it may be included in a consolidated report to the Secretary, without change or rewriting.

2. The report of the work of each Division should be submitted to me not later than August 1, 1940, except the report of the Accounts Division, which should be submitted not later than August 12.

3. The report should conform in style and arrangement to the last annual report of this office to the Secretary. Each Division will submit suitable text for the 1940 report to replace the corresponding material in the 1939 report. The new material will be prepared in the Divisions, as follows:

Divisions	Pages (all numbers inclusive)
A and F	101-108
B	11-12
C	96-98
E	29-37
F	55-72
K	8; 73-95
M	9-10; 38-46
N	7; 47-54; 109
O	99-100

4. In reporting the facts as to permits, leases and licenses, it is requested that the report, if possible, be made in such a way as to give the following information:

(a) The number of permits, leases and licenses of each class issued during the year; the total area included in each class; and the revenue received from each class.

(b) The number of applications for permits, leases and licenses of each class outstanding at the close of the year, and the total area included in each class.

(c) The number of permits, leases and licenses of each class outstanding at the close of the year and the total area included in each class.

5. In the case of entries for which patents have been issued, the reports should show the number of cases patented, and the areas patented, instead of the number of cases "approved for patenting", and the areas "approved for patenting." The necessary figures may be obtained from Division "B".

6. General Requirements:

(a) Type with black record ribbon, elite type.

(b) Make seven carbon copies, except for the tables which heretofore have been reproduced by photostating (pages 110 to 159 inclusive of the 1939 report). Keep the original and corresponding carbon copies together; do not separate the papers into eight sets.

The tables mentioned in item (b) will be prepared and submitted by the Divisions, in duplicate, as follows:

Divisions	Pages (all numbers inclusive)
B	147
E	110, 141
F	117-134; 136-139
M	111-116; 140; 142-146; 148-159
N	135

(c) Use letter second sheet paper for the original and white tissues for the copies.

(d) Leave a one and three-quarter inch margin at the left and a one and one-quarter inch margin at the right, top and bottom of the pages.

(e) Submit the report without numbering the pages, except the last carbon copy of each page. The last carbon copies should be numbered consecutively, with the letter of the Division immediately preceding the number. Examples: The last carbon copies of pages submitted by Division "A" should be numbered A-1; A-2 etc; by Division "B", B-1; B-2 etc.

(f) Center heads and paragraph titles which consist of more than one word should be underscored, thus:

STATE GRANTS AND SELECTIONS

Quantity Selections under Grants for Specific Purposes.

7. After all pages have been received, each set will be numbered consecutively in Division "A".

It is desired that each Chief of Division examine carefully the report of the work of his Division and that he attach a memorandum stating that such examination has been made and that the report is satisfactory.

It also is requested that each Division submit, in duplicate, a statement as to any information within its knowledge which is suitable for inclusion in a foreword to the report.

In addition to submitting a detailed report, this office is required to make a synopsis thereof for the annual report of the Secretary. Each Division will prepare such synopsis covering its activities. The synopsis may not exceed the number of pages used for the corresponding text in the last annual report of the Secretary. The rules governing the preparation of the detailed report should be followed in the preparation of the synopsis.

Each Division will be supplied with a carbon copy of the pages of the 1939 report which it is expected to replace; also a copy of the foreword which was used in that report. A copy of the complete report for 1939 is available for reference purposes in room 5651.

(Sgd) Fred W. Johnson,

Commissioner.

In Reply Refer To:
"M"

Address only the
Commissioner of
The General Land Office.

Bullion
Brady
Bradshaw
Hoffman
Wolfsohn

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
Washington

July 23, 1940.

OFFICE ORDER NO. 87.

The following procedure is prescribed for Divisions "M" and "N" in connection with the collection of rentals and royalties under the Mineral Leasing Act of February 25, 1920:

Division "M" shall continue to send out advance notices of rentals due and to notify lessees of balances due for royalties. When payments are not received within 30 days after notice, Division "M" shall notify Division "N" and furnish that division a detailed statement of account. When additional rentals or royalties become due from a delinquent lessee, for which payment is not received, Division "M" shall promptly notify Division "N" of the additional indebtedness, so that the latter division will be fully advised at all times as to the status of the account.

Upon receipt of notice of a delinquency, Division "N" shall, without delay, allow the lessee 30 days from notice within which to pay the amount due, and where action is not taken within the time allowed, will transmit the record to Mr. Brady for appropriate action looking to court proceedings and the collection of the money due the United States. In calling for the amount due, the lessee should be furnished with an itemized statement.

(Sgd.) Fred W. Johnson,

Commissioner.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 14, 1940.

ORDER NO. 90

Effective immediately, in transmitting to the General Land Office, for approval or acceptance, special instructions, or returns of surveys, and in other applicable cases, letters should bear, upon the first or final page, as may be appropriate, an endorsement as follows:

Approved: (or Accepted)

Assistant Commissioner.

Two carbon copies of each such letter should be sent with the original.

Upon completion of the necessary review and examination, and upon approval or acceptance by this office, one carbon copy, signed and dated, will be returned to the District Cadastral Engineer for his files in lieu of the separate letters prepared under current practice. Where comment upon or discussion of the instructions or returns is required, the views and action of the office will be indicated by separate letters as at present.

Fred W Johnson
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

INSTRUCTIONS TO REGISTERS RELATIVE TO DISPOSITION OF NONCOMPETITIVE LEASE APPLICATIONS

ORDER NO. 91

Hereafter when applications for oil and gas leases under the noncompetitive provisions of the act of August 21, 1935 (49 Stat. 674), are received in the district land offices they will not be transmitted to the General Land Office without action, but will be disposed of in the following manner:

(1) Applications which are fatally defective. Applications which are not sworn to or are not accompanied by a minimum fee of at least $10 are fatally defective and have no segregative effect. If such an application is received, it will be noted in the serial register for identification only, but must not be entered upon the tract books. The Register will immediately notify the applicant by ordinary mail that the application has been rejected without prejudice to the applicant's right to file a new proper application but that a new application, if filed, will be subject to any intervening applications. Registers will be careful to strike from the printed form of rejection notice any reference to the right of appeal in such cases, and if filing fees have been paid, will prepare the necessary vouchers to accomplish the prompt return of the money.

(2) Applications which are proper and regular on their face. Applications which are properly sworn to and are accompanied by a minimum fee of at least $10 will be noted upon the serial register and upon the tract books in accordance with current practice. The Register will carefully examine the application and check the status of the lands applied for. Where the application fails to comply fully with paragraphs (a) to (g) of section 10, Circular 1386, or where any of the lands applied for are shown by the records not to be subject to disposal under the provisions of the oil and gas leasing law, the Register will hold the application for rejection, either in its entirety or in part as the facts may warrant. Notice that the application is held for rejection must be sent by registered mail to the applicant or his attorney of record who will be allowed 30 days

a- Name & address
B- Citizenship
C- Other holdings
D- Land applied for
E- Belief in value, etc

F.- Reference
G- Agree to pay
rent & file bonds

from receipt of notice within which to take appropriate action. The right of appeal will be allowed. Should an applicant fail to comply with the requirements of the notice, the Register will reject the application in its entirety or in part and return all or such part of the filing fees as may be appropriate.

(3) Applications which purport to amend or supplement original applications. Except in cases where the Commissioner of the General Land Office has expressly required the amendment of an application or where the applicant corrects a manifest error in the application, whenever a person who has an application for lease pending shall file another application which purports to amend or supplement the original application by describing either in whole or in part the lands in his original application, in addition to other lands not previously applied for by him, such application will be considered by the Register as a new application for lease requiring the same degree of regularity and completeness as to oath, filing fees, etc., as any other original application for lease. If the new application is regular and complete, the Register will reject such application as to any lands found to be described in the applicant's original application. Where an application is not regular and complete in all respects, it will be handled and disposed of in the same manner herein provided as to new applications.

(4) Applications which conflict with prior applications. In all cases in which an application is filed which conflicts in whole or in part with a prior application, the subsequent application will be received, numbered, noted on the records, and held suspended by the Register pending final disposition of the prior application.

(5) Applications accompanied by minimum filing fee but insufficient for area involved. Where the filing fee is insufficient in amount to cover the acreage applied for, the Register will require the applicant either to deposit the necessary additional fee or to eliminate from the application the acreage in excess of that covered by the fee already paid. In his notice, the Register will hold the application for rejection to the extent of the excess acreage, describing the lands by legal subdivision and selecting them in such a manner as to leave the lands remaining in the application in most compact form. If the applicant elects not to deposit the additional fee but selects other lands for elimination from the application in lieu of those selected by the Register, the applicant's selection of lands for elimination will be allowed provided the lands then remaining in the application are in most compact form.

(6) Extension of time. In any case in which an applicant requests an extension of time within which to comply with a decision of the district land office, the Register is authorized, when in his judgment the facts so warrant, to grant the request and allow a period of not to exceed 30 days from the expiration of the 30-day period previously allowed.

(7) Applications to be forwarded to General Land Office by special letter. Applications which are regular and complete in all respects and do not conflict with prior similar applications, or applications in which an appeal has been filed from the Register's action, or applications which have been finally rejected in whole or in part because of conflict or other reason, will be transmitted to the General Land Office by special letter following final action in the district land office. The Registers must attach to each application the customary status report furnished under current practice. Where an application has been rejected as to part of the lands applied for, the Register will not obliterate or delete the description of the rejected lands from the application but will attach to the case a report, over his signature, giving the description of the lands remaining in the application which are shown by his records to be subject to lease, in addition to the regular status report and statement of conflicting applications.

(8) Serial register to be prepared in duplicate. In order that the General Land Office may be informed immediately of the filing of an application which is being held in the district office for appropriate action because of conflicts or other defects, the serial register will be prepared in duplicate in all cases of noncompetitive lease applications. The duplicate copy will be transmitted to the General Land Office by special letter and will be marked "Duplicate for Division 'N', G. L. O." Where a lease application is regular and complete in all respects, the duplicate copy of the serial register will be attached to the face of the application and forwarded at the same time. Where, however, the lease application is held in the district land office, the duplicate copy of the serial register will be placed in serial order with other papers which are being forwarded and must show the conflicts or defects which cause the application to be retained.

Registers will call upon the General Land Office by special letter for the status of any lands concerning which their records indicate possible conflicts but are not entirely clear. In such instances the application will be held until the information requested has been furnished.

Approved:

10/16/40

actg Mendenhall
Assistant Secretary.

Johnson
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 25, 1940.

ORDER NO. 92.

The practice of transmitting the original of a decision to the claimant and retaining a copy of it in the office file will be discontinued. In the future, the originals of decisions will be retained in the files and copies thereof sent to the claimant and other interested parties.

Order No. 81, dated February 13, 1940, is amended accordingly.

(Sgd) Fred W. Johnson,
Commissioner.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

October 24, 1940.

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FED Fed
SEG Seg
DOW
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WJH
CGF
HCG
PLK PLK

ORDER NO. 93

In the absence of the Chief Forester, Oregon and California Revested Lands Administration, Portland, Oregon, Mr. N. O. Nicholson, Senior Forester, is hereby authorized to sign as Acting Chief Forester. In the event that both the Chief Forester and the Senior Forester are absent, Mr. Joseph G. Friedly, Chief Clerk, is authorized to sign as Acting Chief Forester. The authority for the Senior Forester and the Chief Clerk to sign as Acting Chief Forester, is limited to routine matters only. Timber contracts and other matters involving questions of administration or policy, including employment of personnel or personnel status changes, must be signed by the Chief Forester.

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO:

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

November 1, 1940

ORDER NO. 94

All work connected with the sale and distribution of township plats and field notes and the distribution of maps and publications now being performed in the Survey Division is hereby transferred to the Patent Division.

Mrs. Violet E. Vaughan and Messrs. Charles N. Barker and Russell Jackson, who are engaged on the above work, are hereby transferred from the Survey Division to the Patent Division. This order is effective immediately.

(sgn) Fred W. Johnson
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

November 18, 1940.

ORDER NO. 95

In the interest of more effective conduct of surveying operations and greater efficiency in the administration of the Cadastral Engineering Service, the grouping of States within surveying districts and the numbering of districts will conform to the following, effective January 1, 1941:

District No. 1, Colorado, Wyoming, Nebraska and South Dakota.

District No. 2, New Mexico.

District No. 3, California and Arizona.

District No. 4, Utah and Nevada.

District No. 5, Idaho and Montana.

District No. 6, Oregon and Washington.

District No. 7, Alaska.

District No. 8, Eastern States.

Effective January 1, 1941, Mr. John P. Walker, District Cadastral Engineer, is relieved of supervision of the Public Survey Office, Olympia, Washington, and of surveying activities in the State of Washington, and Mr. Joseph A. Ganong, District Cadastral Engineer, is assigned to the duties relinquished by Mr. Walker. The official headquarters of Mr. Walker at Boise, Idaho, and of Mr. Ganong at Portland, Oregon, will remain unchanged.

(Sgd) Fred W. Johnson,

Commissioner.

Approved: November 18, 1940.

(Sgd) E. K. Burlew,

First Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

November 16, 1940

INSTRUCTIONS TO ADJUDICATORS

ORDER NO. 96.

Whenever regulations of the General Land Office are cited in a decision, document or other paper, the following data, if appropriate, should be given:

(a) A reference to the Code of Federal Regulations.

(b) The Circular number and date.

(c) The L.D. or I.D. reference, if any.

Such data should be inclosed in parenthesis, if in keeping with the arrangement of the text.

Example: A citation to the regulations under the act of February 9, 1933 (47 Stat. 798; 30 U.S. 209) relative to the suspension of rentals on coal, oil and gas leases issued under the mineral leasing act, should be in the form indicated below.

(43 C.F.R. 191.9-191.11; Circ. 1341, Nov. 14, 1934; 55 I.D. 67)

(Sgd) Fred W. Johnson,

Commissioner.

IN REPLY REFER TO:

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Barnett

King

1849377 "A"

NOV 23 1940

ORDER NO. 97.

Establishing a contract numbering agency in
the Range Development Service.

There is hereby established in the office of the Chief, Range Development Service, Washington, D. C., a new contract numbering agency to which is assigned symbol I 8 g- .

Pursuant thereto all formal contracts originating in the Range Development Service will be numbered in the office of the Chief of that service.

Any contracts involving expenditures from Civilian Conservation Corps funds will be numbered in the regular sequence, with the addition of the letters CIV after the letter "g".

(sgd) Fred W. Johnson

Commissioner.

123662

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 3, 1940.

ORDER NO. 98

In furtherance of the instructions contained in Circular No. 996, dated April 7, 1925 (51 L. D. 112), effective immediately, the practice under which returns of surveys and resurveys are now examined in the General Land Office prior to acceptance by the Commissioner will be discontinued, except in those cases where in the judgment of the Supervisor of Surveys or in the discretion of the Commissioner of the General Land Office such examination should be undertaken.

Under this practice the returns of surveys and resurveys for all districts will be routed through the office of the Supervisor of Surveys, where a careful, final check will be made as to their merits and sufficiency prior to the Supervisor's approval. Approved returns when received in the General Land Office for acceptance will not in general be subject to further review except in those cases where such action may be requested by the Supervisor of Surveys or where the Commissioner, in the exercise of his discretion, deems such additional review advisable.

The exceptions above noted will apply primarily to independent resurveys; to those cases wherein protests are of record before the General Land Office; where questions requiring legal determination are involved; and to those cases where, by reason of the special purpose for which the survey was executed, review by the General Land Office is advisable.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 16, 1941.

ORDER NO. 99.

To meet the need for proper coordination of the expanding activities of the General Land Office in Alaska and to facilitate the expeditious performance of the work, there is hereby established the position of General Land Office Coordinator for Alaska.

Mr. George A. Parks, District Cadastral Engineer, Juneau, Alaska, is hereby designated as General Land Office Coordinator for Alaska. He will serve in this capacity without additional compensation.

The Coordinator shall have general supervision over all General Land Office activities in Alaska, including the district land offices, the Cadastral Engineering Service and the Alaskan Fire Control Service, and shall have authority to direct and coordinate the work of these activities.

All budgetary matters and all proposed new work projects, as well as the proposed scope of existing projects, will be presented to the Coordinator for consideration and approval. All matters involving a departure from established policy and practice will be submitted by the Coordinator, with appropriate recommendation, to this office for consideration.

All applications, petitions, etc., involving claims in Alaska arising under the public land laws will be presented to and acted upon by the proper Register and Receiver in Alaska. The Register and Receiver, however, instead of transmitting the returns of such applications, petitions, etc., semi-monthly to the General Land Office, will forward the returns semi-monthly to the Coordinator, who will examine the papers in each case as soon as possible for possible defects in form, execution, or otherwise, and for possible errors by the Register and Receiver in their actions or decisions.

If any defect or error is found in any particular case or cases included in the semi-monthly returns and such defects or errors may be cured either by the applicant or the Register and Receiver, such cases shall be taken from the semi-monthly returns and forwarded to the Register and Receiver with whatever suggestions or instructions the Coordinator deems proper. A note opposite the serial number or numbers of the cases so forwarded should be made on the schedule of returns, and it, with the balance of the cases to which no objection is found, should be forwarded immediately by the Coordinator to the Commissioner of the General Land Office.

Should there be any case or cases in which the defect or error cannot be cured or corrected, the Coordinator will make such recommendation as he may deem advisable and transmit the same with the semi-monthly returns in which they are listed, to the Commissioner of the General Land Office.

The Coordinator will have available the services of the Assistant Solicitor for Alaska for consultation and advice on matters involving legal problems.

Hereafter, plats of Alaskan mineral surveys will be released immediately upon their approval by the District Cadastral Engineer at Juneau, Alaska, and, in order to enable the claimants to proceed with their applications for patents without delay, two copies of each plat will be reproduced in the Public Survey Office, by photostat, blue print, or in such other manner as may be available, and furnished to the claimant or to his agent or attorney, for immediate use, one for posting on the land and one for filing with the application.

The original copy of the field notes will be filed in the Public Survey Office; the duplicate copy will be sent to the claimant or to his agent or attorney for filing with the application.

The original copy of the plat will be transmitted to the General Land Office for photolithographing, and that copy and the photolithographic copies will be disposed of as follows:

(a) The original copy will be returned to the Public Survey Office at Juneau for filing.

(b) One copy on drawing paper will be filed in the General Land Office.

(c) One copy on drawing paper will be transmitted to the proper district land office for use in that office.

(d) One copy will be furnished to the Special Agent in Charge for use in his office.

(e) Such copies as may be deemed necessary will be made for the purpose of sale at the rate of 50 cents each.

This order is effective immediately.

(Sgd) Fred W. Johnson,

Commissioner.

Approved: January 16, 1941.

(Sgd) E. K. Burlew,

First Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

"M" February 5, 1941

ORDER NO. 102.

Beginning February 15 registers of district land offices will mail to this office daily memorandum copies of their official receipts (form 4-131). These memorandum copies have heretofore been forwarded semimonthly. They should be mailed under separate cover, without folding, in an envelope not larger than 6½ by 9½ inches, which should be addressed, "Division of Accounts, General Land Office, Washington, D. C."

The copies of these receipts marked "Office Copy", will be filed numerically in the district land offices.

(Sgd) Fred W. Johnson,
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 4, 1941.

ORDER NO. 103

The following procedure will govern action in the General Land Office in the adjudication of applications for special land-use permits for public lands within or without grazing districts under the regulations prescribed in 43 CFR 258.1-258.16; Circ. 1483, November 19, 1940.

1. Upon receipt of the application in Division "D", it will be assembled, carded and routed as follows: If it shows the legal subdivisions involved it will be sent to Division "K" through Division "O". If it does not show the legal subdivisions involved, it will be sent to Division "K" first through Division "E" and then through Division "O". In the event last mentioned Division "E" will attach a memorandum giving the legal subdivisions or the approximate legal subdivisions involved. Division "O" in each case will make a pencil note of the application on the tract books and will attach a status sheet to the application giving the status of the land. The application then will be sent to Division "K" for further action as hereinafter indicated.

2. When the application is received in Division "K", the chief of that division if in doubt as to whether the proposed use is specifically authorized by existing law will send a memorandum to the chief of each division of this office handling claims which are similar to or of the same nature as to use as the application involved. This memorandum should identify the file number, claimant and land involved and the special use for which a permit is desired, and should request that a report be submitted as to whether there is any law administered in such division providing specific statutory authority for the allowance of the proposed use.

3. When the above reports, and the report by the Grazing Service if the lands are in a grazing district, have been received and examined, and before the applicant is called upon to correct curable defects, if any, in his application, the Chief of Division "K" will transmit the case along with a memorandum to the Land Classification Division requesting a report as to whether the lands should be devoted to the use contemplated by the applicant. The Land Classification Division will make such a report, or if further information is necessary as a basis for its report, will indicate to Division "K" what additional information is wanted and the channel through which it might be secured. The memorandum to the Land Classification Division should contain the substance of all information available that will be of assistance.

4. Division "K", after receiving the report requested from the Land Classification Division, will take the necessary action with a view to the granting of the permit, the perfection of the application, or the rejection of the application as the facts may warrant.

(Sgd) Joel David Wolfsohn

Acting Assistant Commissioner

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

March 7, 1941.

ORDER NO. 104.

In the matter of decisions of this office notifying oil and gas lessees of their default under any of the lease terms, the Registers of the United States District Land Offices will comply strictly with the provisions of Section 17 of the amendatory leasing act of August 21, 1935 (49 Stat. 674), reading as follows:

> "Such notice in advance of cancelation shall be sent the *lease owner* by registered letter directed to the lease owner's record post-office address, and in case such letter shall be returned as undelivered, such notice *shall also be posted for a period of thirty days in the United States Land Office for the district in which the land covered by such lease is situated* * * *" (Italics supplied).

In instances where they are returned as undelivered, the respective notices will be posted for a period of thirty days in the District Land Office involved. The Registers' reports, when transmitted to this office in due course, will contain the notation appropriate to the action taken in this respect.

(Sgd) Fred W. Johnson,

Commissioner.

COMMISSIONER OF
THE GENERAL LAND OFFICE

This includes Secretary's Order 1548.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

March 14, 1941.

SUBMISSION OF CASES TO BOARD OF EQUITABLE ADJUDICATION

Order No. 105

March 7 the Secretary approved the following order, No. 1548:

"In order to facilitate the examination and approval by the Department of cases requiring confirmation by the Board of Equitable Adjudication, the following procedure hereafter will be followed:

1. A statement of the facts for each case on Form 4-237 will be prepared in the General Land Office as heretofore.

2. On Monday of each week the General Land Office will transmit to the Department for consideration an order of approval, sample copy attached, prepared for the signature of the Assistant Secretary, listing the cases submitted for confirmation.

3. The Department will attach to each case a copy of the order approving the confirmation and will date and stamp the signature of the approving officer on Form 4-237 under the words 'confirmation of entry approved by.'

4. Upon completion of the records, as indicated, the cases will be returned to the General Land Office for further appropriate action."

The word "by" will be typed by the adjudicating division on Form 4-237, after the words "Confirmation of entry approved".

The cases will continue to be prepared as at present, but when ready for transmission to the Office of the Secretary will be delivered to the Homestead Division for further compliance with the Secretary's Order.

When the confirmation has been approved (order of approval signed and each case bearing a facsimile), and the cases returned, they will

be sent to the divisions in which they were approved for patenting, for the preparation of delivery to the Patent Division in the usual manner.

A copy of the sample draft referred to in the Secretary's Order, on which the cases will be listed by the Homestead Division, is attached.

(Sgd.) Fred W. Johnson,

Commissioner.

Attachment

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

SAMPLE DRAFT

Pursuant to the act of September 20, 1922 (42 Stat. 857; 43 U.S.C. 1161-1163), and the regulations thereunder (43 CFR 107.1, 107.2; Reg. October 17, 1922 49 L.D. 323), the Commissioner of the General Land Office has decided that the errors or informalities in the cases herein listed have been satisfactorily explained. I have considered the cases and approve his conclusions. The entries are confirmed for patenting.

Kind of Entry	Office and Serial	Reason for submission to Board

Assistant Secretary.

"COPY"

IN REPLY REFER TO:

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

March 22, 1941.

ORDER NO. 106

Effective immediately employees in the General Land Office desiring to borrow books from libraries in this Department or from other libraries will present their request to Mrs. Dunn, Room 5644. The request should be presented on the cards supplied to the Division Chiefs for that purpose.

(Sgd.) Fred W. Johnson
Commissioner.

9/17-JS

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 7, 1941

Order No. 108.

Frequently where an application for oil and gas lease involving two geologic structures is rejected as to lands on one of the structures, the applicant is allowed to file a new application for the rejected land effective as though filed on the date of filing of the original application.

In such cases, Division "O" will post the effective date as shown by a notation on the face of the application rather than the date on which it was actually filed.

(sgd) FRED W. JOHNSON
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

"A" May 16, 1941.

ORDER NO. 109.

Subject to prior authorization by the Commissioner, field officers and employees of the General Land Office may attend meetings and conferences held in their localities at which public land matters are discussed. Reports and clippings concerning the results of the meetings will be sent to the Commissioner. Per diem and traveling expenses for attendance will be allowed in appropriate instances.

(Sgd) Fred W. Johnson,

Commissioner.

145749

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 27, 1941

ORDER NO. 110

In connection with the many adverse proceedings which have been, and are being directed against mining claims in certain areas, and which areas are identified and referred to by name, for instance: "Boulder Dam," "Joshua Tree National Monument," "Mojave Desert Bombing Range," etc., it has been found advisable to open and maintain a separate docket for each specific area, when referred to by name, in order that a complete and separate record of the mining claims in a given area that have been declared null and void may be readily available.

In some offices this will necessitate the use of several dockets, depending upon the number of "named areas" involved. The use of several dockets in which the numbering of the contests must commence with number one results in a duplication of numbers which ordinarily would be confusing, and the identification of registration envelopes and registry return receipt cards by the area names becomes a burdensome task. These objections can be overcome by the adoption of a "prefix number" for each area and its corresponding docket, and by the combined use of the prefix number and the contest number, to be separated by a hyphen, thus: "Boulder Dam" area, prefix number 1, contest number 1, to be identified as 1-1. "Joshua Tree National Monument" area, prefix number 2, contest number 1, to be identified as 2-1.

The first supplemental docket opened in a district office should be identified by the prefix number 1. The second (if necessary for another area) by the prefix number 2, and so on as separate dockets become necessary. The cases docketed are to be numbered consecutively commencing with number 1 in each docket. This procedure, however, is not intended for use in ordinary circumstances, but only when "named areas" are to be cleared of a large number of alleged invalid mining claims.

Each docket should be carefully indexed, both as to the names of all mining claims involved, as well as the names of the locators, heirs, transferees or assignees.

Fred W. Johnson
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1773390 "L" June 17, 1941

INSTRUCTIONS TO REGISTERS
OF DISTRICT LAND OFFICES

ORDER NO. 113

It has been reported that in many instances, notwithstanding the plain provisions of section 7 of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 28, 1936 (49 Stat. 1976), relative to the classification and opening of the public lands to entry, paragraph 7 of Circular 1353b, dated June 29, 1937, containing the regulations thereunder, and the notation placed, pursuant to Order No. 53, upon the bottom of the acknowledgment of the receipt of applications, applicants are occupying the land applied for while their applications for classification and opening of the lands to entry are pending. In some instances they have erected valuable improvements and when the applications have been rejected on the ground that the land is not considered of the character subject to entry as applied for, they have, on appeal, claimed equitable consideration because of such improvements. Such claims have added to the difficulties incident to the consideration of such appeals.

Some of the applicants seem to consider that the receipt which is issued to them for the filing fee and commission tendered by them constitutes their authority to occupy and improve the land pending action upon their applications. Others claim inability to understand the law and regulations.

In order to meet this situation it has been considered expedient to place an emphatic warning upon the receipt. There is therefore being supplied to you herewith a rubber stamp reading as follows:

DO NOT GO
UPON THIS LAND
UNTIL NOTIFIED IN
WRITING THAT YOU MAY.

and a red transparent ink stamp pad. You will place this stamp, in red ink, at an angle of approximately 45 degrees, extending from the

lower left to the upper right, across the face of the receipt issued by you in connection with such applications.

If the application is filed in person you will verbally call the attention of the applicant to the warning stamp and explain the matter clearly and in full. If the application is received by mail you will add the following to the notice endorsed upon the acknowledgment form pursuant to Order No. 53: "See the warning stamped upon your receipt for money tendered."

(Sgd) Fred W. Johnson,

Commissioner.

"COPY"

IN REPLY REFER TO:

"A"

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

June 30, 1941.

ORDER NO. 114

District land offices are directed to discontinue the use of plain paper for making carbon copies of correspondence. Thin manifold paper printed with the official heading is available and must be used for extra or file copies of correspondence. Those offices not supplied with the printed manifold paper should obtain a sufficient supply immediately and thereafter comply with these instructions.

(Sgd.) Fred W. Johnson
Commissioner.

9/17-JS

149735

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

ORDER NO. 115

July 1, 1941

INSTRUCTIONS TO CHIEFS OF DIVISIONS AND MEMBERS OF THE LAW DIVISION RELATIVE TO THE SUBMISSION OF COPY FOR THE MANUAL OF RULES.

Each Chief of Division, whose Division on or after July 1 receives, prepares or promulgates any order, rule or memorandum containing instruction governing internal administration in the General Land Office or in any of its field offices, or any rule, order or instruction which is effective only in respect to officers, agents or employees of the General Land Office or its field offices (except orders of the General Land Office which are issued through Division "A" and given order numbers) is instructed to furnish me copies thereof in duplicate for the Manual of Rules for the General Land Office, which now is being prepared. Papers of the type indicated prepared or promulgated by members of the Law Division should be submitted by them. The copies should be furnished at the earliest possible date after the papers have been signed or approved.

Copies should be furnished of instructions or orders received from the Department and of instructions or orders issued by the Chiefs of Divisions, if of the type indicated. If any doubt exists as to whether or not a particular paper is of the type desired, copies should be furnished for consideration.

Public land rules and regulations of the kind in which the public is interested, which are of general applicability and legal effect and have been designated for publication as a part of Chapter 1 of Title 43 of the Code of Federal Regulations, will not be included in the Manual of Rules and copies thereof should not be furnished hereunder.

All papers furnished under this order should be submitted under a cover marked as follows:

COPY FOR MANUAL OF RULES

Subject: ________________________________

Date of Instructions: ____________________

Date of submission of copy: ______________

Copy submitted by: ______________________

Fred W. Johnson
Commissioner.

"COPY"

IN REPLY REFER TO:

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

July 28, 1941.

ORDER NO. 118.

Regulations heretofore promulgated, and now in force, (Circulars of July 7, 1900, and October 6, 1904, and Order of December 7, 1908,) require that attorneys, agents, and other persons not officially connected with the land office be excluded from that part of the office not reserved for the use of the general public.

Those regulations and this order must be observed.

Copies of this order must be posted conspicuously in the district land offices; and registers are directed to call it to the attention of any person failing to observe it. Persistent violations of the order should be reported to this Office.

(Sgd.) Fred W. Johnson
Commissioner.

9/17-JS

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1883143 "C"

August 25, 1941

ORDER NO. 120

REGISTERS TO REPORT TO THE SPECIAL AGENTS IN CHARGE ALL APPLICATIONS THAT CONFLICT WITH GRAZING LEASE APPLICATIONS.

In order that Special Agents in Charge may be informed of all applications to enter, select or purchase lands included in applications for grazing leases, the registers are directed to notify the Special Agents in Charge of the filing of such applications and the extent of the conflict, at the time the papers in the conflicting application are forwarded to the General Land Office. This will enable the Special Agent in Charge to consider the extent of the conflict and to exercise his discretion as to the time when the field investigation required by 43 CFR 160.18 (paragraph 17, Circular No. 1401), should be made. Where the status report that must be sent by the register to the Special Agent in Charge with the duplicate grazing lease application shows one or more conflicts and for any reason any such conflict is removed, the Special Agent in Charge should be immediately notified thereof.

The regulations requiring the registers to forward to the General Land Office the originals and copies of all applications under the nonmineral public land laws, to enter or select public lands, outside of Alaska (43 CFR 101.19, Circular No. 1474), do not require such procedure in the case of applications for grazing leases. The procedure governing action on such applications is set forth in 43 CFR 160.15 (paragraph 13, Circular No. 1401).

(Sgd) Fred W. Johnson,

Commissioner.

"COPY"

IN REPLY REFER TO:

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

August 28, 1941.

ORDER NO. 121

The per diem allowance in lieu of subsistence for employees in the Surveying Service of the General Land Office while in camp within the limits of the continental United States shall not exceed $1.50. Circular No. 1302 dated June 12, 1933, is amended accordingly.

As stated in the circular, the per diem allowance is intended to cover as nearly as possible the actual cost of subsistence, and therefore in determining the per diem rate the subsistence costs for the locality in which the employees are to be encamped should be taken into consideration.

(Sgd.) Fred W. Johnson
Commissioner.

Approved: August 28, 1941.

(Sgd.) E. K. Burlew

First Assistant Secretary.

9/17-JS

28406

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

ORDER NO. 125a

October 7, 1943

NOTICE TO REMOVE IMPROVEMENTS FROM PUBLIC LANDS, TO BE INCORPORATED IN DECISIONS OF THE GENERAL LAND OFFICE, IN CERTAIN CASES

Where an application made under the public land laws is finally rejected, or an entry is canceled, embracing lands situated in a grazing district, or in a withdrawal for other purposes, and the General Land Office retains entire or partial jurisdiction over the lands, and where it is known or believed that the lands contain improvements and that the maintenance of such improvements would constitute a trespass against the United States, the decision taking the action will call attention to the situation and require the improvements to be removed or other proper action to be taken. The following form will be used where the lands are situated in a grazing district:

> "The record discloses that there are improvements situated upon the lands included in the above-mentioned application (or entry). These lands are situated in ________ Grazing District No. ______, established by Departmental Order of ______________________. In view of the rejection of the application (or cancellation of entry), and as the lands are situated in a grazing district, the maintenance of the improvements constitutes a trespass against the United States. Accordingly, the claimant is required to take one of the following actions:
>
> "(a) Remove the improvements, or show cause why he should not be required to do so.
>
> "(b) Show that the maintenance of the improvements by himself, or a purchaser of the improvements, has been authorized by the Grazing Service in connection with grazing privileges on the lands.
>
> "The claimant is hereby allowed 30 days from receipt of notice to take action as indicated. If additional time is required, a request showing the need therefor will be considered. In the absence of action as indicated within the time allowed, the improvements will become the property of the United States and be dealt with accordingly."

Where the lands are not embraced in a grazing district, the form of notice will be appropriately modified.

If the claimant within the time allowed fails to respond to the notice, or to notify the General Land Office that he has taken action under which the improvements may be permitted to remain on the land, the General Land Office will instruct the Regional Field Examiner to make an examination, and if the improvements have been removed to report the fact, but if they have not been removed either to appraise and sell them to the highest bidder, for cash, or to make report and recommendation as to other procedure, if deemed proper.

Fred W. Johnson
Commissioner

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 27, 1942

ORDER NO. 131

The following designations have been approved for the personnel of the Branch of Field Examination of the General Land Office: Supervisor, Branch of Field Examination, Regional Field Examiner, Field Examiner. For the time being there will be no change in the designations of the clerical personnel.

Effective immediately, the Branch of Field Examination will use General Land Office letterheads, envelopes and forms in the conduct of its work. Stationery now on hand will be appropriately amended and used until exhausted. Following the present practice of the General Land Office, all intra-office correspondence emanating from the Branch of Field Examination will be in memorandum form.

Hereafter requests for field examinations will be addressed to the appropriate Regional Field Examiner and a copy thereof will be sent to the Supervisor, Branch of Field Examination. All such requests, as well as other correspondence addressed to the officials of the Branch of Field Examination, will be prepared for the signature of the Assistant Commissioner. Regional Field Examiners will send reports of field examination direct to the Commissioner of the General Land Office. When received in the Washington office, these reports will be referred by the Mail and Files Division to the appropriate adjudicating or other division of the office through the Supervisor, Branch of Field Examination.

(sgd) Fred W. Johnson

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 27, 1942

ORDER NO. 132

With the submission of the returns for the month of February, 1942 the practice of submitting returns semi-monthly will be discontinued, as will the special transmittal of applications, proofs, etc., except those relating to matters of national defense. Thereafter the returns are to be submitted four times a month, for each of the following intervals: 1st to 7th, 8th to 15th, 16th to 22nd, 23rd to the last day of the month, inclusive. Papers becoming ready for transmittal (and which have not been transmitted special) within any of those intervals are to be transmitted to the General Land Office not later than the working day next succeeding each interval.

The required number of schedules has been reduced to three: (1) Schedule of Serial Numbers, (2) Schedule of Allowances, (3) Schedule of Miscellaneous Papers Transmitted. They should be prepared in duplicate, the entries therein to be made at the end of each period for which the returns are submitted. The duplicates will be retained in the district land offices and the originals will be submitted to this office with the returns for the last quarter of the month. Fractional schedules will be submitted to this office with the returns for the first three quarters of the month. These fractional schedules will be a carbon copy of the entries made in the original schedules and will show only the entries for the quarter of the month for which the returns are submitted. The first entries on the fractional schedules for the second and third quarters likely will not start at the top of the page but at whatever place on the sheet the quarterly postings begin on the originals. When the cases transmitted number less than 31 in any month the completed schedules will be confined to one page, but schedules (2) and (3) will appear in four groups arranged serially.

Schedule (1) must contain the same information as heretofore, but in addition the names of applicants for rights of way must be shown in the "remarks" column; and any other marginal notations must be changed, when necessary, so that the completed schedule will show the status of the cases at the end of the month.

Schedule (2) likewise will contain the same information as heretofore, but instead of the allowed entries appearing in serial order for the month, they will appear in four groups, serially.

Schedule (3) is substituted for those schedules heretofore furnished under paragraph 44 (a) to (i) of Circular No. 616, as amended by Circular No. 885. Upon it are to be listed in serial order for each interval all applications, proofs, relinquishments, etc., which are being transmitted (or which have been transmitted special) within the interval. Papers heretofore transmitted with the returns but for which no schedules were required are likewise to be listed on this schedule. In the date column should be noted the date the last paper was filed or action taken in the case. Receipt numbers must be shown whenever payments have been received. The type of entry and kind of paper must be identified in the proper column, and cases which are suspended, or which have been withdrawn or closed should be so noted in the "remarks" column.

An extra carbon copy of the abstract of moneys earned and applied within the interval must accompany the papers and schedules for the first three quarters of the month. Memorandum copies of the receipts are also to accompany the returns, and no longer need be mailed daily to this office.

District offices must continue to inform the designated officials of the Forest Service, the Grazing Service, and the Branch of Field Examinations, of changes in the status in accordance with existing regulations. For that purpose form 4-115 may be used if found practicable, or any other method found to be more suitable.

Applications or other papers which appear to relate to matters of national defense must be forwarded to the General Land Office immediately after they have been noted on the necessary office records. First papers in such cases (if complete in themselves) must be transmitted immediately and not held for the filing of additional evidence. Letters of transmittal should state what additional evidence, if any, has been called for, and that in turn should be transmitted immediately upon receipt.

Fred W. Johnson

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 7, 1942

ORDER NO. 137

Moneys received with an application for lands not situated in the register's land district will be forwarded with the application to the register of the land district in which the lands are situated. Before the application is forwarded, however, it will be given a current serial number and proper notation will be made upon the serial register. The moneys will not be taken into the register's accounts, unless deposited before it has been ascertained that the lands are in another land district. If a receipt has been issued but the moneys have not been deposited, the receipt will be canceled. If the moneys have been deposited they will be transferred to the proper register by means of a refund voucher (Standard Form 1064), and due report of the receipt and the transfer of the moneys must, of course, be made in the register's accounts. The disposition of the application should be reported in the "General schedule of serial numbers," with proper notation in the "remarks" column, for example, "Application for lands in Cheyenne District."

The register will advise the applicant as to the disposition of the application and the remittance. The register to whom the remittance is transferred will issue receipt and account for the amount the same as though the application and remittance had come direct to him from the applicant.

Paragraph 154 of Circular 616 (46 L.D. 551) is modified accordingly.

(Sgd) Fred W. Johnson,

Commissioner.

Approved: April 13, 1942

(Sgd) Oscar L. Chapman,

Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 20, 1942.

ORDER NO. 138

CONTESTS TO BE DECIDED WITHOUT USE OF CONFIDENTIAL FILE; USE OF FILE AFTER CONTEST HAS BEEN CLOSED.

Whenever the transcript of a Government contest hearing is received in the General Land Office for its decision in the contest proceedings, only the main (public record) portion of the record will be charged to the appropriate adjudicating division.

The "Confidential" portion of the record, including the report of field investigation upon which the charges were based, will be retained in the Division "D" files until after the decision mentioned has been rendered.

If through any inadvertence an entry record with which a Government hearing record has been assembled for consideration thereof is received in an adjudicating division, with the "Confidential" portion of the serial record attached, it shall be the duty of the Chief of Division to see that the "Confidential" portion is returned immediately to the Division "D" files before the public record is assigned for consideration.

The decision of the General Land Office in a contest case will decide only matters put in issue by the proceeding. The proofs which must be submitted by the entryman or claimant as a basis for the issuance of patent or the granting of other right will be considered independently of the contest, after final action thereon has been taken, if as a result of the proceeding the entry is not canceled.

The confidential file will be reassembled with the record after the contest case has been disposed of. The file may contain information which was not considered or used in the contest case. The file, therefore, may be considered and used in connection with other necessary actions, so far as such use is not inconsistent with the final action in the contest case.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 28, 1942

ORDER NO. 139

PURCHASE AND USE OF STAMPS BY REGISTERS; REPORT REQUIRED.

Hereafter it will not be necessary for Registers of district land offices to secure the certificates of postmasters on form 4-194 concerning the number of pieces of official mail registered each quarter.

In the future Registers must submit to this office quarterly a report on an official letterhead, signed by them and certifying it to be correct and showing the number, denomination, and value of all stamps purchased, used, and on hand at the beginning and end of each quarter, under two headings: (1) registration, (2) airmail. For audit purposes a record must be maintained in each office showing the number of pieces of mail registered or dispatched by airmail, the names and addresses of the addressees, and the number and value of stamps used on each piece. Airmail stamps should only be used in obedience to instructions from this office or for the transmittal of papers to this office in matters affecting the prosecution of the war.

Form 4-194 will no longer be supplied upon requisition; but Registers having a supply on hand may continue to use the form, modified to show the airmail transaction in addition to the registration, until their supply has been exhausted, but without the postmasters' certificates.

Paragraph 9 of Circular approved March 1, 1900, (29 I. D. 649), and Instructions approved September 13, 1909, (38 I. D. 190), are modified accordingly.

(Sgd) Fred W. Johnson

Commissioner.

Approved: April 30, 1942

(Sgd) W. C. Mendenhall

Acting Assistant Secretary.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1923842

JUN 9 - 1942

ORDER NO. 143

CHANGE IN SYMBOL NUMBERS OF UNEARNED MONEYS AND APPROPRIATION ACCOUNTS FOR REFUNDS AND APPLIED MONEYS EARNED FOR THE SALE OF PUBLIC LAND, AND FEES AND COMMISSIONS, EFFECTIVE JULY 1, 1942.

The General Accounting Office, by Accounts and Procedures Letter No. 3709, dated November 14, 1941, has changed the procedure for accounting and distributing funds applied for the Sale of Public Lands and for Fees and Commissions, and also has changed the symbol number of the trust fund receipt account and the appropriation account for refund purposes of the unearned portion thereof. The procedure set out in letter of the Acting Comptroller General dated July 8, 1936, A-44007 (referred to in Circular No. 1397), for covering all receipts collected by the several registers of the General Land Office into a trust fund receipt account and the appropriation on a monthly basis for refund purposes of the unearned portion thereof to a corresponding trust fund appropriation account will be continued, except that in lieu of the separate trust accounts bearing symbols and titles "8101" through "8126" (Deposits, Unearned Proceeds, Lands, etc., General Land Office (Location of Office)) and "14X8101" through "14X8126" (Unearned Proceeds, Lands, etc., General Land Office (Location of Office)) now in use, all receipts collected by registers of the General Land Office will be deposited into the Treasury to the credit of a master trust fund receipt account to be identified therein with the collecting offices by the use of decimal suffixes as follows:

148800.001	Deposits, Unearned Proceeds, Lands, etc., General Land Office,	Anchorage, Alaska
148800.002	do.	Fairbanks, Alaska
148800.003	do.	Nome, Alaska
148800.004	do.	Phoenix, Arizona
148800.005	do.	Los Angeles, Calif.
148800.006	do.	Sacramento, Calif.
148800.007	do.	Denver, Colo.
148800.008	do.	Pueblo, Colo.
148800.009	do.	Blackfoot, Idaho.

148800.010	Deposits, Unearned Proceeds, Lands, etc., General Land Office,	Coeur d'Alene, Idaho
148800.011	do.	Billings, Mont.
148800.012	do.	Great Falls, Mont.
148800.013	do.	Carson City, Nev.
148800.014	do.	Las Cruces, N. Mex.
148800.015	do.	Santa Fe, N. Mex.
148800.016	do.	Bismarck, N. Dak.
148800.017	do.	Lakeview, Oreg.
148800.018	do.	Roseburg, Oreg.
148800.019	do.	The Dalles, Oreg.
148800.020	do.	Pierre, S. Dak.
148800.021	do.	Salt Lake City, Utah
148800.022	do.	Spokane, Wash.
148800.023	do.	Buffalo, Wyo.
148800.024	do.	Cheyenne, Wyo.
148800.025	do.	Evanston, Wyo.
148800.026	do.	General, District of Columbia

The unearned portion of such receipts in amounts necessary to make refunds, etc., will be appropriated to the amended trust fund appropriation account "14X8800 Unearned Proceeds, Lands, etc., General Land Office" by appropriation warrant on which will be indicated the corresponding decimal suffixes prescribed for use under the receipt account "148800" as follows:

14X8800	Unearned Proceeds, Lands, etc., General Land Office	
.001	do.	(Anchorage, Alaska)
.002	do.	(Fairbanks, Alaska)
.003	do.	(Nome, Alaska)
.004	do.	(Phoenix, Arizona)
.005	do.	(Los Angeles, Calif.)
.006	do.	(Sacramento, Calif.)
.007	do.	(Denver, Colo.)
.008	do.	(Pueblo, Colo.)
.009	do.	(Blackfoot, Idaho)
.010	do.	(Coeur d'Alene, Idaho)
.011	do.	(Billings, Mont.)
.012	do.	(Great Falls, Mont.)
.013	do.	(Carson City, Nev.)
.014	do.	(Las Cruces, N. Mex.)
.015	do.	(Santa Fe, N. Mex.)
.016	do.	(Bismarck, N. Dak.)
.017	do.	(Lakeview, Oreg.)
.018	do.	(Roseburg, Oreg.)
.019	do.	(The Dalles, Oreg.)
.020	do.	(Pierre, S. Dak.)

14X8800	Unearned Proceeds, Lands, etc., General Land Office	
.021	do.	(Salt Lake City, Utah)
.022	do.	(Spokane, Wash.)
.023	do.	(Buffalo, Wyo.)
.024	do.	(Cheyenne, Wyo.)
.025	do.	(Evanston, Wyo.)
.026	do.	(General, District of Columbia)

Observe that the location of the District Land Office is a part of the title under account "148800", for example, "148800.001 Deposits, Unearned Proceeds, Lands, etc., General Land Office, Anchorage, Alaska," while the location is not a part of the title under account "14X8800" which will be shown on refund vouchers and schedules of disbursements, thus "14X8800.001 Unearned Proceeds, Lands, etc., General Land Office".

As of July 1, 1942, the date this procedure is to take effect the balances appearing on the books of the Treasury Department (Division of Bookkeeping and Warrants), the General Accounting Office (Accounting and Bookkeeping Division), and the Department of the Interior (General Land Office), in the accounts heretofore prescribed for deposits and for refunds of unearned moneys should be transferred to the new consolidated accounts "148800" and "14X8800", respectively. However, the balances in the appropriation accounts "14X8101" to "14X8126" to the credit of the Disbursing Officer must be deposited in the Treasury and withdrawn by requisition under the new appropriation account "14X8800".

To expedite this transfer, schedule no refund vouchers for payment after the close of business on June 26, 1942, and with the last schedule of disbursements request the Regional Disbursing Officer to indicate his balance on the copy of the schedule returned to you. Immediately upon receipt of the paid schedule from the Regional Disbursing Officer note your office copy and forward the schedule to this office by the next mail. This information is desired for verification with our records and to secure return of the balances to the Treasury. The necessary action to re-establish the funds under the new appropriation account "14X8800" will be taken by this office and every effort will be made to have that accomplished July 1, 1942.

Moneys applied for the sale of public lands in non-reclamation States and Alaska to account "145501 Sale of public lands (by States)," and in reclamation States to account "146881 Sale of public lands (by States)" will be applied on and after July 1, to account "146881" as follows:

146881	Sale of Public Land (by States)
.001	Alabama
.002	Alaska
.003	Arizona
.004	Arkansas

146881	Sale of Public Land (by States)
.005	California
.006	Colorado
.007	Florida
.008	Idaho
.009	Illinois
.010	Indiana
.011	Iowa
.012	Kansas
.013	Louisiana
.014	Michigan
.015	Minnesota
.016	Mississippi
.017	Missouri
.018	Montana
.019	Nebraska
.020	Nevada
.021	New Mexico
.022	North Dakota
.023	Oklahoma
.024	Oregon
.025	South Dakota
.026	Texas
.027	Utah
.028	Washington
.029	Wisconsin
.030	Wyoming

Moneys applied for fees and commissions in non-reclamation States and Alaska to account "143311 Fees and Commissions, lands offices, general fund" and in reclamation states to account "146011 Fees and commissions, land offices" will be applied on and after July 1, to account -
146011 Fees and Commissions, Land Offices.

As stated above the new receipt accounts are to be used for applied moneys on and after July 1, 1942, and all concerned should be informed thereof. PLEASE ACKNOWLEDGE RECEIPT of this Order IMMEDIATELY on the form provided below.

(Sgd) Joel David Wolfsohn

Acting Commissioner.

- -

_______________ 1942.

Commissioner,
General Land Office,
Washington, D. C.

Order No. 143 has been received in the _______________ District Land Office.

____
Register

1946585

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON

Instructions to the Registers.
Order No. 147.

Reference is made to Section 1, act of July 29, 1942 (56 Stat. 726), which is as follows:

> "That upon the expiration of the five-year term of any noncompetitive oil and gas lease issued pursuant to the provisions of the Act of August 21, 1935 (49 Stat. 674), amending the Act of February 25, 1920, and maintained in accordance with the applicable statutory requirements and regulations, the record title holder shall be entitled to a preference right over others to a new lease for the same land pursuant to the provisions of section 17 of the Act of February 25, 1920, as amended, and under such rules and regulations as are then in force, if he shall file an application therefor within ninety days prior to the date of the expiration of the lease. The preference right herein granted shall not apply to lands which on the date of the expiration of a lease are within the known geologic structure of a producing oil or gas field."

Applications for new leases must be filed within the period prescribed in the act. Each applicant will be required to submit a showing under oath, in accordance with Section 10 of Circular 1386 (43 CFR 192.23), accompanied by the proper filing feeand the first year's rental, which is at the rate of 50 cents per acre, or fraction thereof. When the applications are complete in all respects and the necessary filing fees and rentals have been paid, the Register will assign a new serial number to each application and will note thereon "filed under Section 1, act of July 29, 1942, based on lease No. (serial), expiring (date)."

Any informal application or request for the issuance of a new lease which does not conform to the requirements set forth above, if received during the period prescribed in the act, nevertheless will be considered as timely filed. In such cases, the Register will serve notice of the requirements upon the record title holder of the lease and advise him that should he fail to comply therewith within 30 days from receipt of such notice, his preference right to a new lease under the act will be considered as forfeited and terminated. If the record title holder makes compliance within the time allowed, the Register will follow the procedure indicated above and will note the filing date of the completed application as of the date the informal application or request was filed.

Approved: Jan. 23, 1943 /s/ Joel David Wolfsohn

/s/ Oscar L. Chapman Acting Commissioner

Assisting Secretary

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

"K"

June 14, 1943

ORDER NO. 153.

CERTAIN GRAZING LEASE APPLICATIONS TO BE REPORTED ON BY THE CHIEF FORESTER, OREGON AND CALIFORNIA REVESTED LANDS ADMINISTRATION.

Hereafter the triplicate copy of grazing lease applications filed under section 15 of the Taylor Grazing Act for public lands intermingled with the Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant lands will be forwarded to the Chief Forester, Oregon and California Revested Lands Administration, 901 Guardian Building, Portland, Oregon, for field examination and report instead of the Regional Field Examiner located at San Francisco, California.

The Register's usual status report concerning the lands involved will be forwarded with the triplicate copy of the application to the Chief Forester. The field report as required under sections 160.18 and 160.19 of Circular No. 1401a will be submitted to this office by the Chief Forester on each application. Thereafter, copies of all decisions of this office on such cases will be furnished the Chief Forester.

The above procedure will also apply to petitions for renewals of all outstanding section 15 grazing leases embracing lands within the limits of the Oregon and California Revested Lands Administration.

(Sgd) Fred W. Johnson,

Commissioner.

27364

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

REGISTERS INSTRUCTED TO NOTIFY GEOLOGICAL SURVEY AND OTHER BUREAUS OF THE FILING OF NONCOMPETITIVE LEASE APPLICATIONS

ORDER NO. 155

Paragraph (8), Order No. 91, is amended to read as follows:

"(8) Serial register to be prepared accordingly. In order to expedite action on all noncompetitive oil and gas lease applications which are filed in the district land offices, including applications that are being held for appropriate action because of conflicts or other defects, the serial register will be prepared in triplicate in all cases and additional copies will be prepared where necessary to comply herewith. The duplicate copy will be transmitted to the General Land Office, as hereinafter provided, and the third copy will be mailed to the Geological Survey, Washington, D. C. These copies will be marked, respectively, 'Duplicate for Division N, G.L.O.' and 'Triplicate for the Geological Survey's use in making structural report to the General Land Office.' If the land applied for is embraced in a reclamation or wild-life withdrawal, an additional copy will be transmitted to the regional office of the Bureau of Reclamation or to the Fish and Wildlife Service, marked 'Copy for the regional office for report to the Commissioner, Bureau of Reclamation' or 'Copy for report to the Director, Fish and Wildlife Service,' whichever is proper. The original and duplicate copy of the serial register will bear notation of the date and bureaus to which copies are forwarded, such copies to be transmitted to the respective bureaus at the same time the serial register is made. Where a lease application is regular and complete in all respects, the duplicate copy of the serial register will be attached to the face of the application and forwarded to the General Land Office with the next regular returns. Where, however, the lease application is being held in the district land office because of conflict or other defects, the duplicate copy of the serial register will be placed in serial order with other papers which are being forwarded to the General Land Office, and must show the conflicts or defects which cause the application to be retained.

"Registers will call upon the General Land Office by special letter for the status of any lands concerning which their records indicate possible conflicts, but are not entirely clear. In such instances the application will be held until the information requested has been furnished."

April 29, 1943

(Sgd) Fred W. Johnson,
Commissioner.

I concur:

(Sgd) Julian D. Sears,
Acting Director, Geological Survey.

Approved: May 19, 1943

(Sgd) Oscar L. Chapman,
Assistant Secretary.

I concur:

(Sgd) Ira N. Gabrielson,
Director, Fish and Wildlife Service.

I concur:

(Sgd) H. W. Bashore,
Acting Commissioner, Bureau of Reclamation.

40846

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

May 1, 1944.

ORDER NO. 162

Pursuant to Departmental Order No. 1228 of November 23, 1937, the Legislative Unit of the Law Division will constitute the coordinating office for all legislation of interest to the General Land Office. The Legislative Unit will be responsible for maintaining complete records of the status of all pending and proposed legislation of interest to this office. Miss Garber will continue to be in charge of the Legislative Unit, under the general supervision of the Chief Counsel.

All such incoming legislative matters will be routed by the Mails and Files Division, upon receipt, direct to the Legislative Unit, which will be responsible for its proper assignment or disposition thereafter. If any assignment with respect to a legislative matter, now pending in this office, has not been received through the Legislative Unit, it should be promptly notified thereof. The same procedure should be followed as to any such assignment hereafter received, other than through the Legislative Unit.

When a division, which has been requested to consider a bill, deems it of interest to this office, it should return the bill with a memorandum to the Chief Counsel discussing the significant provisions of the bill, together with a draft of a formal request from this office to the Chief of the Legislative Division of the Solicitor's Office for an opportunity to report thereon.

Where legislation apparently relates to specific undescribed land, the Legislative Unit shall request the Division of Surveys to identify and describe the land covered by the bill, so that it may be determined whether such land is public land. Where the provisions of any bill would dispose of land according to a public land survey, a report should be obtained from the Posting Division, to be part of the files, showing the status of such lands.

When a draft of a proposed report or of proposed legislation is ready for endorsement, a memorandum should be sent to the Legislative Unit at once, identifying the matter and giving the names of the people to whom it will be sent. If any alteration or addition is made in such routing, the person making such change should send a similar memorandum to the Legislative Unit. After a proposed report or a draft of proposed legislation has received final endorsement in this office, it should be routed through the Legislative Unit before it leaves this office. A copy of the pertinent papers will be retained for the files of the Legislative Unit. If a legislative matter, after it leaves this office, is to go to some other office before it is considered in the Solicitor's Office, this information should be furnished to the Legislative Unit. The Order of December 1, 1937, naming Miss McCardle as legislative coordinator, is hereby revoked.

Fred W. Johnson
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 18, 1944.

ORDER NO. 169

The procedure described in General Land Office Order No. 158, approved by the Department on January 7, 1944, for affording all persons interested an equal opportunity to apply for public lands which become subject to such applications because of the official filing of a plat of survey or resurvey, or of an order revoking a withdrawal of reservation, is hereby extended to lands of the following classes, when restored to the public domain:

1. Lands acquired by the United States as a result of court proceedings, or a demand for reconveyance made by this Department.
2. Lands reconveyed to the United States by a State or private owner in an exchange under the Taylor Grazing Act.
3. Lands patented to a State under the Carey Act and reconveyed to the United States by the State, for any reason.

The procedure herein referred to shall not apply to any case where a restoration from withdrawal is made for the benefit of a particular individual or State, based upon equitable considerations or the public interests, or where the lands offered as base in an exchange under the Taylor Grazing Act are situated in a national park, or Indian or other reservation, which would preclude the filing of applications therefor under the public land laws.

Hereafter, any order making public lands available after public notice, in accordance with Order No. 158, or this order, must be prepared for publication in the Federal Register.

(Sgd) Fred W. Johnson,

Commissioner.

Approved: August 15, 1944

Oscar L. Chapman,

Assistant Secretary.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington, D. C.

Order No. 170 August 24, 1944.

The following sections are added to Part 99--Mineral Leasing, etc., of the General Land Office Manual:

COAL

99.27 Procedure in the Washington office in connection with coal permits and licenses: Action in connection with coal permits and licenses issued by the Commissioner under authority of Departmental Order No. 1961, of June 27, 1944, and action on assignments, extensions of time, cancellations, and surety bonds relating thereto, also authorized by that order, will be by decision. The cases, which prior to the issuance of the order were routed through the Law Division and the Geological Survey on their way to the Secretary, will be routed through the same channels on their way to the Commissioner.

99.28 Coal permits and leases issued to a company or corporation operating a common-carrier railroad: Under authority of section 2 of the Act of February 25, 1920 (41 Stat. 437, 438), as amended June 13, 1944 (Public Law 336, 78th Congress) all coal permits and leases issued to a company or corporation operating a common-carrier railroad will contain a statement that any coal mined thereunder will be for use of the company or corporation for railroad purposes only.

OIL AND GAS

99.88 Procedure in the Washington office in connection with non-competitive oil and gas leases: The procedure in connection with non-competitive oil and gas leases issued by the Commissioner, under authority of Departmental Order No. 1961, of June 27, 1944, will be as follows:

(a) When leases are ready for the Commissioner's signature, the originals and all copies thereof, with the record, will be routed to the Commissioner, through the Law Division and the Geological Survey. A uniform routing slip will be used. When the record is returned to Division "N," the adjudicator will note on the backing sheet the date of the issuance of the lease and that it is being transmitted to the register and send the record with the lease and all copies thereof to the Division docket clerk, who will place one original in the division files, transmit the counterpart original to the General Accounting Office, the other counterpart to Division "D" for mailing to the register, and two facsimile copies to the Geological Survey. No memorandum will accompany the mailing of the leases to the register.

(b) Action on assignments, consolidations, modifications, revocations, operating contracts, cancellations and surety bonds relating to non-competitive oil and gas leases will be by decision. These cases will be routed through the Law Division and the Geological Survey, and then to the Commissioner for signature. The decisions should set forth the pertinent facts, the same as was done prior to the issuance of the Order No. 1961, in the Commissioner's letters to the Secretary.

SODIUM

99.300 Procedure in the Washington office in connection with sodium permits: Action in connection with sodium permits issued by the Commissioner under authority of Departmental Order No. 1961, of June 27, 1944, and action on assignments and cancellations relating thereto, also authorized by that order, will be by decision. The cases, which prior to the issuance of the order were routed through the Law Division and the Geological Survey on their way to the Secretary, will be routed through the same channels on their way to the Commissioner.

SULPHUR

99.900 Procedure in the Washington office in connection with sulphur permits: Action in connection with sulphur permits issued by the Commissioner under authority of Departmental Order No. 1961, of June 27, 1944, and action on assignments and cancellations relating thereto, also authorized by that order, will be by decision. The cases, which prior to the issuance of the order were routed through the Law Division and the Geological Survey on their way to the Secretary, will be routed through the same channels on their way to the Commissioner.

Section 99.53 of the General Land Office Manual has become obsolete, except as to pending cases, by reason of the procedure authorized by the Order No. 1961, and will be deleted from the manual.

Fred W. Johnson

Commissioner.

IN REPLY REFER TO:

1959929 "E"

ADDRESS ONLY THE
COMMISSIONER OF
THE GENERAL LAND OFFICE

UNITED STATES
DEPARTMENT OF THE INTERIOR
GENERAL LAND OFFICE
WASHINGTON 25, D. C.

SEP 5 1944

ORDER NO. 171

The current procedure noted in Secs. 622 and 624 of the "Manual of Instructions for the Survey of the Public Lands, 1930," pertaining to the preparation and disposition of copies of our plats of surveys, is amended as follows:

Plats With Overlays

1. The base plats and overlays will be considered work sheets. The Supervisor of Surveys, however, will sign the base plat at the time it is transmitted here in order that his signature may be available for printing on the photolithographic copies. The base plat will not be signed by the Assistant Commissioner.

2. Photolithographic copies will be prepared with the photographic signature of the Supervisor of Surveys on all copies.

3. The Assistant Commissioner will then accept the survey by signing three photolithographic copies printed on hard paper for filing here, in the Public Survey Office or State office, and in the proper District Land Office. Facsimile signatures of the Assistant Commissioner will be stamped on the remaining copies or appropriate arrangement will be made to have his signature printed on those copies. The three copies will not be returned to the Supervisor of Surveys for his signature since acceptance by the Assistant Commissioner is the final step in making the survey an official instrument of the General Land Office.

4. The plats will be designated as "original," "duplicate," and "triplicate" copies in the same manner as they are marked at the present time.

5. The base plats and overlays will be returned to the Public Survey Office.

Plats Without Overlays

The same procedure will be followed as outlined for the plats with overlays. The plats prepared in the Public Survey Offices will be considered work sheets. They will be signed by the Supervisor of Surveys in the regular manner. The steps designated as Nos. 2 to 5, inclusive, under the heading of "Plats With Overlays" will then be followed.

Thos. C. Havell
Acting Assistant Commissioner.

FOR VICTORY
BUY
UNITED
STATES
WAR
BONDS
AND
STAMPS

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

October 25, 1944

ORDER NO. 172

The following section is added to Part 99 of the General Land Office Manual:

ASSIGNMENT OF LEASES

99.19 Action on Assignments. An assignment of a part of the lands embraced in a lease, made and filed in the Land Office at a time when the lease was in good standing, will be submitted for approval by the Commissioner or the Secretary, if otherwise regular, even though when the assignment is reached for action the lessee is in default on the remaining lands in the lease.

Fred W. Johnson
Commissioner.

2015262

101473

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

November 2, 1944

ORDER NO. 173

A new section, reading as follows, is added to Part 48 of the General Land Office Manual:

> 48.102 Registers authorized to grant an extension of time for fulfillment of requirements. When a decision of the General Land Office allows a specified time for the parties in interest to fulfill certain requirements, if there has been no prior extension for the same purpose, the register is authorized, when the circumstances warrant such action, to grant an extension of time of not more than 30 days, in addition to that allowed by the decision, for compliance therewith. Subsequent requests for additional time must be referred to the General Land Office for consideration. The register will notify the General Land Office by special letter of any extension granted under this authority.

Fred W. Johnson
Commissioner.

One Filed Commissioner Orders,
G.L.O. Manual

103183

1919661 "L"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D.C.

Order No. 174

December 4, 1944

Section 123.12 of the General Land Office Manual is amended to read as follows:

123.12 Use or sale of forfeited or unclaimed improvements. Any forfeited or unclaimed improvements on the O and C land may be sold as the property of the United States, or devoted to any necessary use in connection with the administration of the lands. No sale will be made, however, until the Chief Forester, O and C Revested Lands Administration, has submitted a report stating that the improvements are not required for administrative use. If required for such use they will not be sold.

Where the Chief Forester reports that the improvements are not required for administrative use, the Regional Field Examiner may cause the improvements to be sold or otherwise disposed of, in accordance with Section 231.11 of the General Land Office Manual. The proceeds from such sales must be deposited in the Treasury to the credit of the Oregon and California Land Grant Fund, or the Coos Bay Wagon Road Grant Fund, as may be proper.

Thos. C. Havell
Acting Assistant Commissioner.

1994722 "L"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

December 7, 1944

ORDER NO. 175

In view of the provisions of section 4 of the act of September 27, 1944 (Public Law 434 - 78th Congress), section 57.123 of the General Land Office Manual is amended to read as follows:

> 57.123 Provisions to be incorporated in orders opening or restoring lands to application under the public land laws. So far as appropriate, all orders opening or restoring lands to application under the public land laws shall be prepared in accordance with the following instructions:
>
> I. Where veterans of World War II are entitled to a preferred right of application as set forth in 43 CFR 181.40, i.e., where the lands are opened or restored to application under the homestead or the desert land laws, or the small tract act of June 1, 1938, 52 Stat. 609 (43 U.S.C. sec. 682a), the order shall state:
>
> > "This order shall not otherwise become effective to change the status of these lands until 10:00 a.m. on the 63rd day from the date on which it is signed. At that time the lands shall, subject to valid existing rights, become subject to application, petition, location, or selection as follows:
> >
> > > "(a) For a period of 90 days, commencing on the day and at the hour named above, the vacant and unreserved public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the act of June 1, 1938, 52 Stat. 609 (43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (Public Law 434 - 78th Congress), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

"(b) For a period of 20 days immediately prior to the beginning of such 90-day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a.m. on the first day of the 90-day period, shall be treated as simultaneously filed.

"(c) Commencing at 10:00 a.m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unreserved and unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

"(d) Applications by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a.m. on that day, shall be treated as simultaneously filed.

"Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

"Applications for these lands shall be acted upon in accordance with the regulations contained in section 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L.D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the act of June 1, 1938 shall be governed by the regulations contained in parts 232 and 257, respectively, of that title."

II. Where lands are opened or restored under specified laws, not including the homestead or the desert land laws, or the small tract act of June 1, 1938, the order shall provide:

(a) That it shall not become effective to change the status of the lands involved, except to the extent indicated therein, until 10:00 o'clock a.m., of the 63d day from the date on which it is signed, or for such other period as may be determined proper in the particular case.

(b) Subject to existing valid rights, for the filing of applications in accordance with the regulations contained in section 295.8 of Title 43 of the Code of Federal Regulations (Circ. 324, May 22, 1914, 43 L.D. 254), and Part 296 of that Title, to the extent that these regulations are applicable.

Notice of the official filing of a township plat shall be given publicity as provided in 43 CFR 240.3 (Circ. 1486, March 4, 1941).

Each order of opening or restoration shall be given due publicity, including posting in the district land office or in the General Land Office at Washington, if there is no district land office in the State, until after the expiration of the period specified in such order for the presentation of simultaneous applications by the general public.

Any order making lands available after public notice, in accordance with this section, must be prepared for publication in the Federal Register.

(Sgd) Fred W. Johnson,

Commissioner.

Approved: December 7, 1944.

(Sgd) Oscar L. Chapman,

Assistant Secretary.

105958

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

546293 "C"
333423
2017352
2017353
2017351
2017377

January 20, 1945.

ORDER NO. 176

FEDERAL REGISTER DOCUMENTS--REVIEW OF PAPERS

Section 57.1 of the General Land Office Manual, which describes the classes of documents which must be filed with the Division of the Federal Register, is amended by adding thereto the following:

> The President, pursuant to section 5(a) of the Federal Register Act, has determined that the following classes of General Land Office documents have general applicability and legal effect and therefore should be published in the Federal Register (1 CFR Appendix A):
>
> > "Orders, rules, regulations, and instructions of general applicability and legal effect, issued, prescribed, or promulgated by the Secretary of the Interior and relating to the General Land Office."

The first paragraph of Section 171.2 of the General Land Office Manual, which describes the classes of papers requiring review in the Law Division and by the Chief Counsel, is amended to read as follows:

> "*Papers requiring review in the Law Division and by the Chief Counsel.* In order to insure uniformity and avoid conflict of decisions, as well as to insure that questions of law have the fullest consideration, all decisions and letters prepared in the General Land Office, involving questions of law, and all documents which must be published in the Federal Register (see Sec. 57.1), must pass through and be reviewed in the Law Division."

Assistant Commissioner.

108895

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

ORDER NO. 177 March 9, 1945.

The following section is added to the General Land Office Manual.

24.5 Coupon bonds of the United States received by the General Land Office in lieu of individual or corporate surety bonds. When coupon bonds of the United States are received by the General Land Office at Washington in lieu of corporate surety bonds, under authority of 6 U.S.C. sec. 15, the following procedure shall be observed:

(a) After an accurate record of the bonds has been made in Division "D", the bonds, with the case record, shall be sent by that division to the Receiving Clerk of the General Land Office.

(b) It shall be the duty of the Receiving Clerk to prepare a letter for the signature of the Assistant Commissioner, transmitting the bonds to the Treasurer of the United States for safekeeping. The letter must describe the bonds and request the Treasurer to retain them until their release is requested by the General Land Office. The letter and the bonds must be taken by an employee designated for that purpose, with the next deposit of cash receipts, to the office of the Treasurer, and a receipt for the bonds must be obtained from him and filed with the case record. The record then must be sent for action to the proper adjudicating division.

(c) It shall be the duty of the proper adjudicating division, when the bonds no longer are required as security, to prepare a letter to the Treasurer requesting the appropriate disposal of the bonds.

(Sgd) Fred W. Johnson,

Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

1823902 "C"

March 30, 1945

Order No. 178

A new part is added to the General Land Office Manual, as follows:

PART 181 - - SMALL TRACT ACT

Section 75.1 of the Manual is renumbered 181.1 and an additional section is added to Part 181, as follows:

181.3 Lease issued by the register; assignment of contract number. The original and duplicate original of any lease issued by the register under the Small Tract Act must be forwarded by him, with his regular returns, to the General Land Office. The General Land Office will assign a contract number to the lease and notify the register who will note the number on his records.

The register must not delay the delivery of a lease for the notation thereon of the contract number.

(Sgd) Fred W. Johnson,

Commissioner.

In Reply Refer To: 110318

2037411 "L"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

April 3, 1945

ORDER NO. 179

The following text is added to the General Land Office Manual:

PART 231--TRESPASS

COAL TRESPASS

Sec. 231.30. Notice by the register to the Regional field examiner of the filing of coal applications; field examinations. The register will advise the regional field examiner on Form 4-205 of all applications filed for coal prospecting permits, leases or licenses, and will note this fact on the margin of the application. If in the opinion of the regional field examiner a field examination should be made in connection with any such application to determine whether coal has been mined in trespass, he will cause such examination to be made and a report submitted to the Commissioner of the General Land Office.

(Sgd) Fred W. Johnson,

Commissioner.

57.125 Filing of plats of survey. Notice of the filing of plats of survey, which must be published in the Federal Register, shall be prepared on Form 4-353, except in the following cases:

(a) Where the State of Washington, Idaho, Montana, North Dakota, South Dakota, Wyoming, Utah, New Mexico, or Arizona has a preference right under the act of August 18, 1894 (28 Stat. 394, 43 U.S.C. 863), as supplemented by sections 11 and 29 of the act of June 20, 1910 (36 Stat. 565, 575) or the State of Florida has a preference right under the act of February 16, 1921 (41 Stat. 1103, 43 U.S.C. sec. 864).

(b) Where the State of North Dakota, South Dakota, Montana, Idaho, or Washington has a preference right under the act of March 3, 1893 (27 Stat. 592, 43 U.S.C. sec. 861).

(c) Where the lands are situated in the Territory of Alaska.

Where a State has a preference right as indicated, or where the lands are situated in the Territory of Alaska, the notice of the filing of the plat shall contain the provisions of Form 4-353, appropriately modified.

(G.L.O. Order 180, March 31, 1945)

57.126 Public land order; accompanying memorandum. The memorandum to the Secretary submitting the draft of a proposed public land order for transmittal to the Director, Bureau of the Budget, and the Attorney General, shall state the purpose of the order, the agency requesting it, and facts justifying the proposed action. The Department shall be furnished a carbon copy of this memorandum, which shall be retained by the Secretary's mail center when copies of the order are transmitted to the Director, Bureau of the Budget, and the Attorney General. The original shall be returned with the record to the General Land Office, to be resubmitted with

FEDERAL REGISTER DOCUMENTS--Continued

PROCLAMATIONS, EXECUTIVE ORDERS, PUBLIC LAND ORDERS, ETC. --Continued

a further memorandum, and placed immediately under it, when the orders are submitted to the Secretary for signature. The subsequent memorandum must identify the prior one by date. (G.L.O. Order 181, approved by Dept. April 3, 1945)

57.127 Miscellaneous number to be typed on orders of opening or restoration signed by the Commissioner. All orders providing for the opening or restoration of public lands to entry which are prepared for the signature of the Commissioner for publication in the Federal Register must have the miscellaneous number thereof typed in brackets in the center of the page between the head and the title of the order. The number will be inserted in the following form: [Misc. 1234567]. (G.L.O. Order 186, April 19, 1945)

57.128 Clause to be inserted in orders withdrawing public lands for bureaus or agencies outside of the Department of the Interior. All orders withdrawing public lands for bureaus or agencies outside of the Department of the Interior must contain the following clause, unless in a particular case some other provision is deemed more appropriate:

> "It is intended that the public lands described herein shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved."

(G.L.O. Order 227, March 25, 1946.)

In Reply Refer To:

1986715 "L"

[illegible] STATES
[illegible] THE INTERIOR
[illegible] Land Office
[illegible]ington 25, D. C.

110238

ORDER NO. 181

March 24, 1945

The following section is added to the General Land Office Manual.

57.126 The memorandum to the Secretary submitting the draft of a proposed public land order for transmittal to the Director, Bureau of the Budget, and the Attorney General, shall state the purpose of the order, the agency requesting it and facts justifying the proposed action. The Department shall be furnished a carbon copy of this memorandum, which shall be retained by the Secretary's mail center when copies of the order are transmitted to the Director, Bureau of the Budget, and the Attorney General. The original shall be returned with the record to the General Land Office, to be resubmitted with a further memorandum, and placed immediately under it, when the orders are submitted to the Secretary for signature. The subsequent memorandum must identify the prior one by date.

Approved: April 3, 1945.

(Sgd) Oscar L. Chapman,
Assistant Secretary.

(Sgd) Fred W. Johnson,
Commissioner.

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

ORDER NO. 182 March 31, 1945

GENERAL LAND OFFICE MANUAL
PART 171 -- REVIEW OF PAPERS
WASHINGTON OFFICE PROCEDURE
REVIEW PROCEDURE

Section 171.3 is corrected to read:

171.3. Corrections in papers to be made only after final review. Because of their legal and technical contents, most of the decisions, orders, memoranda and correspondence prepared in the divisions of the General Land Office are reviewed at various operational levels before reaching the signing officer. Under present practice, this material is returned to the division for correctional rewriting at each stage of review, with the result that the rewriting is repeated several times, according to the number of reviewers who request changes.

Existing operating conditions make it imperative that this duplication of work be eliminated and that the correctional rewriting be done only once. This can be accomplished by observance of the following procedure:

(a) No changes will be made by the reviewers on the original or carbon copies of any material being submitted for the approval or signature of the Commissioner or Assistant Commissioner.

(b) If the material as originally prepared is not satisfactory to a reviewer, he will attach a memorandum indicating the changes considered necessary and refer the matter to the next review level. This procedure will be followed until it reaches the final reviewer, who will return the material to the division from which it originated with appropriate instructions for correctional rewriting.

(c) After correction, the material will be re-submitted through regular channels to the signing officer, together with one copy of the material as originally prepared and all memoranda attached thereto by the reviewers.

Section 171.4 is revoked.

(Sgd) Fred W. Johnson,

Commissioner.

2037954

110230

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

April 6, 1945

ORDER NO. 183

The General Land Office Manual is amended by adding thereto a new part and section as follows:

PART 173 -- PRACTICE
WASHINGTON OFFICE PROCEDURE
GENERAL INSTRUCTIONS

173.1. Order required before case may be made special. All cases pending in the General Land Office will be acted upon in regular order. No case will be made special except upon the order of the Commissioner or the Assistant Commissioner.

Any person requesting that a case be made special should be referred to the Commissioner or the Assistant Commissioner.

(Sgd) Fred W. Johnson,

Commissioner.

2041862 110903

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

Order No. 186. April 19, 1945.

GENERAL LAND OFFICE MANUAL
PART 57--DOCUMENTS
FEDERAL REGISTER DOCUMENTS
PROCLAMATIONS, EXECUTIVE ORDERS, PUBLIC LAND ORDERS, ETC.

The following section is added to Part 57:

57.127 Miscellaneous number to be typed on orders of opening or restoration signed by the Commissioner. All orders providing for the opening or restoration of public lands to entry which are prepared for the signature of the Commissioner for publication in the Federal Register must have the miscellaneous number thereof typed in brackets in the center of the page between the head and the title of the order. The number will be inserted in the following form: [Misc. 1234567].

Fred W. Johnson
Commissioner.

111180

043243

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

April 27, 1945

Order No. 187

GENERAL LAND OFFICE MANUAL
PART 165—REPORTS
REPORTS MADE BY THE BRANCH OF FIELD EXAMINATION
ORIGINAL AND SUPPLEMENTAL REPORTS

The following section is added to Part 165:

165.77. *Procurement of reports by the Land Classification Division.* Where an application, entry or selection is referred to the Land Classification Division and it is necessary to procure a report from the Branch of Field Examination, that division will prepare the request for a report. The request should state all the information desired, both for the purpose of land classification and for adjudication. All such requests must be routed for signature through the proper adjudicating division and through the Supervisor, Branch of Field Examination.

Fred W. Johnson
Commissioner.

2044938 111435

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 3, 1945

ORDER NO. 188

GENERAL LAND OFFICE MANUAL
PART 171 -- REVIEW OF PAPERS
WASHINGTON OFFICE PROCEDURE
REVIEW PROCEDURE

The second and third paragraphs of section 171.2 of the General Land Office Manual are hereby amended to read as follows:

> "Each Assistant Chief Counsel, with respect to the work of the various divisions assigned to him, shall give final legal approval on matters in which the Secretary has delegated his authority to the Commissioner and which fall within established legal precedent and policy. Each Assistant Chief Counsel will submit to the Chief Counsel matters which are deemed of such importance as to require additional review, whether or not relating to the exercise of powers delegated by the Secretary to the Commissioner. Among other matters which should be submitted to the Chief Counsel will be correspondence with members of Congress other than of a routine nature, correspondence relating to the institution or conduct of litigation which involves novel or complicated questions, novel interpretations of statutes or regulations, or public land orders which either do not follow an approved form or involve a novel question. All matters relating to proposed or pending legislation or to the issuance of regulations, in addition to the ordinary routing, shall also be sent to the Chief Counsel."

PART 57 -- DOCUMENTS
FEDERAL REGISTER DOCUMENTS
PROCLAMATIONS, EXECUTIVE ORDERS, PUBLIC LAND ORDERS, ETC.

Section 57.116 is amended by inserting before "Chief Counsel" the following: "appropriate Assistant".

Fred W. Johnson
Commissioner.

2044621 111387

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

May 1, 1945

Order No. 189

GENERAL LAND OFFICE MANUAL
PART 3--ACCOUNTS
GENERAL INSTRUCTIONS

PAY ROLLS

Paragraph 3, section 3.35 is amended to read as follows:

Schedules of voucher deductions shall be prepared in quintuplicate, the original and two copies to accompany the voucher to the disbursing officer for payment, one copy to be forwarded to the General Accounting Office, Accounting and Bookkeeping Division, Washington 25, D. C. and one copy retained in the office of the certifying officer. One of the copies forwarded to the disbursing officer will be returned by him to the certifying officer and will show the disbursing officer's voucher number, date of payment, etc. The disbursing officer's voucher number and the other data will be noted on the copy of the schedule retained in the office of the certifying officer. The returned copy will be forwarded to the Commissioner at once together with the memorandum copy of the voucher and schedule of disbursements.

Fred W. Johnson
Commissioner.

In Reply Refer To:
1950137 "L"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

112459

Order No. 191

May 24, 1945

GENERAL LAND OFFICE MANUAL
PART 120--OATHS

The following text is added to Part 120:

OATHS ON APPLICATIONS, PROOFS, ETC.

120.51 *Elimination of requirement of oaths on applications, proofs, etc.* The requirement for oaths in support of applications, proofs, or other papers is unnecessary to the extent that a false statement therein comes within the purview of 18 U.S.C. sec. 80, which makes it a crime for any person knowingly and willfully to submit any false or fraudulent statement to any agency of the United States as to any matter within its jurisdiction. Accordingly, when proposed amendments to regulations or forms are considered, the requirement of an oath should be eliminated, except where it is mandatory under a particular statute. (Dept. Memo. April 4, 1945)

Fred W. Johnson
Commissioner.

112523

In Reply Refer To:
2037296 "L"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

ORDER NO. 192

May 24, 1945

GENERAL LAND OFFICE MANUAL
PART 60--EXCHANGES, LIEU SELECTIONS AND SCRIP EXCHANGES

The following section is added to Part 60:

60.51 Application to select withdrawn lands, in an exchange. Where an exchange application to select withdrawn lands is made pursuant to 43 CFR 145.6 and the case is referred to Division "LC" for report, that division will include in the report a statement as to whether the offered land is needed in connection with a land-use program of the Federal Government. Where the report shows that the offered land is not needed in connection with such a program, the application will be rejected by the proper adjudicating division.

Where it is found that the offered land is needed in connection with a land-use program of the Federal Government and that the application otherwise is in the public interest, Division "LC" will prepare or request the appropriate division to prepare an order eliminating the selelected land from the withdrawal.

Fred W. Johnson
Commissioner.

112522

In Reply Refer To:

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

Order No. 193

May 28, 1945

GENERAL LAND OFFICE MANUAL
PART 129--PATENTS
ISSUANCE OF PATENTS

The following sections are added to Part 129:

129.7 Examination and transmittal of patents. Each patent after issuance and examination in Division "B" will be sent with the case record to the Chief of the Adjudicating Division in charge of the case for further verification, particularly as to the inclusion therein of proper reservations or exceptions, and for such notation as may be required on the records of the Division. Such verification and notation will be made "special," and should be completed prior to the expiration of the next business day, if possible. The person making the verification will initial the back of the patent in the upper right hand corner and also on the backing sheet of the case under the stamped notation of the number and date of the patent, indicating also his division. Except where the land is patented to a state, the patent and the case record then will be returned to Division "B" for the transmittal of the patent to the party entitled thereto. Where a state selection is involved, the patent will be transmitted by Division "F".

After the patents have been transmitted, the cases which require posting in Division "O" will be sent to that division to be posted and forwarded to Division "D". The patents in town site cases should be noted on the town site tract books in Division "K" when the patents are in that division for verification. After the town site patents have been transmitted by Division "B", the town site cases should be sent by that division to Division "D".

129.8 Issuance of patents in exchange cases; opening of the acquired lands. Exchanges under Section 8 of the Taylor Grazing Act will be considered "special" and forwarded to Division "B", regardless of the day of the week, for the issuance of patents. The adjudicating divisions in proper cases, as soon as possible after the verification of the patents, will prepare orders opening the acquired lands to application under the public land laws.

Fred W Johnson

Commissioner.

113086

2045295 "L"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

June 6, 1945

Order No. 194

GENERAL LAND OFFICE MANUAL
PART 18---APPEALS
WASHINGTON OFFICE PROCEDURE
APPEALS TO THE SECRETARY

The following section is added to Part 18:

18.4 Arrangement of papers. In transmitting appeals to the Secretary of the Interior, a copy of the decision from which the appeal is taken shall be attached next to the letter of transmittal on the top and outside of the file. (Dept. Memo., May 12, 1945)

Fred W. Johnson
Commissioner.

In Reply Refer To:
1879383 "A"

114043

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

June 20, 1945

ORDER NO. 195

Mr. Earl G. Harrington, Assistant Supervisor of Surveys, is hereby designated as Acting Supervisor of Surveys during the absences or incapacity of the Supervisor of Surveys, and when acting in such capacity is authorized to sign documents and papers usually signed by the Supervisor of Surveys.

Fred W. Johnson
Commissioner.

Approved: June 22, 1945

Oscar L. Chapman
Assistant Secretary.

114038

2009925 "RA"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

June 26, 1945.

ORDER NO. 196

1. On and after July 1, 1945, the Senior Forester, Alaskan Fire Control Service, in addition to his other duties shall administer the disposal of timber for free use and sale on the public lands in Alaska not reserved or withdrawn, except where the terms of the reservation or withdrawal order permit. The regulations and forms now in use for the disposal of such timber shall remain in use until new regulations and forms have been prepared and approved. The Senior Forester, therefore, is hereby named as responsible for such timber disposal instead of the persons or organizations named in the existing regulations and forms except that the duties of the registers, the Coordinator for Alaska, and the Commissioner, General Land Office, shall remain the same.

2. All files containing records pertaining to timber disposal operations in Alaska which are maintained by the Regional Field Examiner at Anchorage shall be transferred to the Alaskan Fire Control Service.

3. The Senior Forester and the Regional Field Examiner shall from time to time exchange information that will be of assistance in timber disposal work and they shall develop, cooperatively, procedures whereby in certain circumstances the Regional Field Examiner may undertake work on timber disposal matters in behalf of the Senior Forester. As an illustration, the circumstances would be created by the necessity for an inspection of a timber cutting operation in a relatively inaccessible area to which a field examiner was required to go on another unrelated matter and to which area it would be difficult and expensive for the Senior Forester to send a representative at the time the inspection was required.

4. The Regional Field Examiner is responsible under the law for "the protection of the public lands and their resources from trespass." However, the Senior Forester will upon request of the Regional Field Examiner cooperate with and assist in such work whenever feasible.

Fred W. Johnson
Commissioner.

In Reply Refer To:
1040696 "N"

114932

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

July 11, 1945

ORDER NO. 197

GENERAL LAND OFFICE MANUAL
PART 99 - MINERAL LEASING, ETC.
OIL AND GAS

The following amendment is made to section 99.51(h):

Line 19, after "Fish and Wildlife Service", add:

> "If the land applied for is within a national forest, an additional copy will be transmitted to the Chief, Forest Service, U. S. Department of Agriculture, Washington 25, D. C."

Line 21, after "Fish and Wildlife Service", add:

> "or 'Copy for report to the Chief, Forest Service, U. S. Department of Agriculture.'"

The amended portion of section 99.51(h) will now read as follows:

> (h) Copies required of Serial Number Register pages. * * * If the land applied for is embraced in a wildlife withdrawal, an additional copy will be transmitted to the Fish and Wildlife Service. If the land applied for is within a national forest, an additional copy will be transmitted to the Chief, Forest Service, U. S. Department of Agriculture, Washington 25, D. C. The copies must be endorsed "Copy for report to the Commissioner, Bureau of Reclamation" or "Copy for report to the Director, Fish and Wildlife Service," or "Copy for report to the Chief, Forest Service, U. S. Department of Agriculture," whichever is proper. * * *

Fred W. Johnson
Commissioner.

116450

In Reply Refer To:
1965435 "A"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

Order No. 199

August 6, 1945

GENERAL LAND OFFICE MANUAL
PART 84—LEGISLATION AND LEGISLATIVE REPORTS
BUDGETARY MATTERS

The following section is added to Part 84:

Sec. 84.50 Budgetary problems to be cleared through Budget Officer. In order that proper coordination may be assured in the handling of budgetary problems, all matters relating to estimates or appropriations, whether regular, deficiency, or supplemental, shall be submitted to and cleared through the Budget Officer, Mr. T. C. Havell, and a copy of all papers dealing with budgetary matters shall be furnished for the master file of the Budget Officer.

Fred W. Johnson
Commissioner.

In Reply Refer To:
1029287

117060

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

ORDER NO. 200

August 17, 1945

GENERAL LAND OFFICE MANUAL
PART 99--MINERAL LEASING ETC.
COAL

The following section is added to Part 99:

99.29 Issuance of coal prospecting permits and leases; reports from Solid Fuels Administration for War.

Section 193.3, Title 43, Code of Federal Regulations requires an applicant for a coal lease to show that an additional coal mine is needed and that there is an actual need for coal which cannot otherwise be met. As a prospecting permittee is entitled to a lease upon making a discovery the same requirement is made of an applicant for a coal prospecting permit.

In order to render the most effective aid possible toward assuring an equitable distribution of fuel during the War and postwar period a report shall be obtained from the Solid Fuels Administration for War or its successor as to the need for the production of additional coal in the locality affected before any coal prospecting permit is issued or lease recommended during such period. This request should be made at the same time the Geological Survey is asked to report on the application.

Fred W. Johnson
Commissioner.

655108 "L" 117624

Order No. 201

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

August 27, 1945.

GENERAL LAND OFFICE MANUAL
PART 60—EXCHANGES, LIEU SELECTIONS AND SCRIP
EXCHANGES

The following section is added to Part 60:

60.53 Private exchanges under Taylor Grazing Act; reports of the regional field examiners to show facts as to the use of the selected lands in connection with grazing leases. For the purpose of aiding the Secretary of the Interior in determining whether a proposed private exchange under section 8 of the Taylor Grazing Act is in the public interest, the reports of the regional field examiners in such cases made in accordance with 43 CFR 146.3, should show whether (a) the selected lands have been leased under the preference provisions of section 15 of the act to one who in good faith has developed a grazing unit, and (b) the selection, if approved, would unduly impair the use or value of either the adjoining public domain or the privately owned lands.

Fred W. Johnson
Commissioner.

065779 117626

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

Order No. 202 August 27, 1945

GENERAL LAND OFFICE MANUAL
PART 222--TITLES
TITLE EXAMINATION PROCEDURE

Paragraph (a) of section 222.15 is amended to read as follows:

> "(a) After the deed has been examined in the General Land Office as to form, a memorandum transmitting it, together with the evidence of title, to the Office of the Solicitor for an opinion on the title will be prepared for the signature of the Commissioner or the Assistant Commissioner, as may be appropriate. The memorandum will be routed through the Law Division."

Fred W. Johnson
Commissioner.

In Reply Refer To:
1971114 "L"

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

117707

August 30, 1945

Order No. 203

GENERAL LAND OFFICE MANUAL
PART 114--NOTATIONS
WASHINGTON OFFICE PROCEDURE
NOTATIONS ON RECORDS

Sec. 114.12 is amended to read as follows:

114.12 Notations on tract books of applications involving unsurveyed lands, etc. To avoid erroneous notations on the tract books of applications for oil and gas leases, grazing leases, etc. on unsurveyed lands and lands withdrawn from entry pending resurvey, Division "O" before posting the applications will send them informally to Division "E" for verification of the areas and the descriptions. After consideration in Division "E," the applications will be returned to Division "O" for posting and forwarding to the proper division.

Fred W. Johnson
Commissioner.

In Reply Refer To:
1971114 "L"

117706

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

Order No. 204

August 30, 1945

GENERAL LAND OFFICE MANUAL
PART 189--STATUS OF LANDS
WASHINGTON OFFICE PROCEDURE
GENERAL INSTRUCTIONS

The following sections are added to Part 189:

189.3 Survey status available in Division "E." Survey status will be furnished in any case on request by Division "E."

Where an adjudicator wishes to obtain survey status himself, he should first examine the index cards in the plat room in Division "E." There are one or more cards for each township. These cards show the date of the approval of each plat, either by the Supervisor of Surveys or the Surveyor General. Since April 17, 1879, the surveys of the public lands have not been regarded as completed until they have been accepted by the Commissioner of the General Land Office and the plat has been officially filed in the district land office, or in the General Land Office if there is no district land office in the State. See 37 L.D. 164, 165, 390. Between the date of the approval of a plat and the date of its official filing, the plat is kept for information only in a separate file in the plat room and it may be examined only upon application to an attendant in charge of that room. After the plat has been officially filed, it is posted on the tract books in Division "O," the date of the official filing is noted in the margin of the plat and the plat is placed in the open files.

189.4 Status reports on unsurveyed lands or lands withdrawn for resurvey. Status reports prepared in Division "O" which involve unsurveyed lands or lands withdrawn from entry pending resurvey shall be routed through Division "E" for consideration as to the status of the surveys. Division "E" shall supply such survey status information as may be appropriate and forward the papers to the proper division.

Fred W. Johnson
Commissioner.

117705

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

Order No. 205 August 29, 1945

GENERAL LAND OFFICE MANUAL
PART 102--MINERAL RESERVATIONS
OIL SHALE LANDS

Section 102.1 is amended to read as follows:

Sec. 102.1 Form of reservation in patent for oil shale lands classified as mineral lands valuable for petroleum and nitrogen. The word "oil" as used in the act of July 17, 1914 (38 Stat. 509, 30 U.S.C. secs. 121-123), includes oil shale, and a recital in a patent issued pursuant to that act, reserving to the United States all the oil and gas in the lands patented is sufficient to reserve the oil shale deposits (52 L.D. 329).

Where a patent is issued for oil shale lands classified as mineral lands valuable as a source of petroleum and nitrogen, the form of reservation should be identical with that which is used where lands are classified as valuable for oil. If the lands are classified as valuable for gas, the form should be identical with that which is used where lands are classified as valuable for oil and gas.

Fred W. Johnson
Commissioner.

117704

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

ORDER NO. 206

August 30, 1945

GENERAL LAND OFFICE MANUAL
PART 129--PATENTS
ISSUANCE OF PATENTS

The following section is added to Part 129:

Sec. 129.9 Employees to report information concerning defective patents; issuance of amended or supplemental patents. Where information concerning defective patents is found by employees of the General Land Office in connection with their respective duties, it should be reported by memorandum addressed to the Commissioner. The memorandum will be routed through Division "D", given a miscellaneous number and referred to Division "B" for consideration. Division "B" upon receipt of the memorandum, if the defect is deemed sufficient to warrant the issuance of an amended or supplemental patent, will (a) ascertain if possible from the proper State officer the name and address of the present owner of the land, and (b) advise the present owner of the defect and as to the conditions under which an amended or supplemental patent may be issued.

Fred W. Johnson

Commissioner.

118982

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

1973103 "K"

ORDER NO. 207 September 26, 1945

The following text is added to the General Land Office Manual:

PART 20--APPRAISALS
APPRAISAL OF LANDS

20.1 Purpose. Unless other standards are prescribed by law or regulations the instructions in sections 20.1 to 20.9 inclusive, will provide a guide for the valuation of land in order to obtain a greater uniformity of appraisals in the public land states. These instructions are in considerable detail and will probably be inapplicable in their entirety to the appraisal of any one tract. They have been framed to provide a guide adaptable to situations which are most commonly encountered for land remaining in the public domain. It must remain discretionary, therefore, with the field examiner to determine those items which are of primary importance and to decide the amount of time which may be justifiably spent in developing any phase of the appraisal. It is of utmost importance, however, that the field examiner report all the factors which he has considered and upon which he has placed primary importance in arriving at his final appraised value.

The appraised value should always reflect the actual fair market value of the land. This will be, as nearly as it is possible to determine, the price which the land would bring in an open market transaction between a willing seller and a willing buyer.

20.2 Elements of Value. Describe those elements of value which appreciate or depreciate the present or potential utility of the property appraised.

The following generally constitute the principal elements of value: Physical characteristics, such as topography, soils, cover, climate, timber and minerals; public services, including type of roads, railways, accessibility to markets, water and power; rights and restrictions, such as appropriative and riparian water rights, zoning, special permits, and controls over the use of land by electrical, irrigation, grazing, drainage, and similar districts.

Only the most pertinent elements of value need be emphasized in the report. The incidental elements may be briefly mentioned and non-pertinent elements omitted.

20.3 Evidence of Value. Among the evidences of value the following are generally considered to be sound and of the greatest help in establishing values:

(a) Productivity (in yields per acre or carrying capacity) is a primary evidence of value which should be reported. However, there is less chance for error in arriving at current land values if productivity is recognized through sales, leases and opinions rather than directly by means of empirical formulae.

(b) Sales of similar adjacent and adjoining lands. (See section 20.4).

(c) Assessment of similar adjacent and adjoining lands. (See section 20.5).

(d) Opinions of value by competent qualified persons. (See section 20.6).

(e) Capitalization of rentals. (See section 20.7).

20.4 Sales Record.

(a) Secure the record of sales of similar adjacent lands from county and other records.

(b) Obtain assessed value at the time of sale of each parcel for which a sales record is secured.

(c) When possible, verify the consideration from the grantor, grantee, or qualified third parties.

(d) Consider and report any reasons why the sale prices do not properly reflect the value of the land under appraisal. This may be because of the character of the land sold, or of improvements thereon, or because of circumstances surrounding the sale such as between relatives, wash sales and forced sales, "hold up" prices, etc. Some dissimilarity in the character of land should not necessarily cause the discarding of sales evidence since sales of dissimilar lands are often valuable for comparative purposes. The sale price of improved land can often be used as evidence of the value of unimproved land by deducting the estimated value of the improvements from the sale price.

(e) Show any significant increase or decrease of values between the date of the sale quoted and the date of appraisal with reasons therefor.

20.5 Latest Assessments.

(a) Obtain the assessments for tax purposes for similar lands in the vicinity.

(b) By opinion of qualified persons and by comparison with actual sales values, indicate the probable ratio between assessed value and fair market value. Assessors endeavor to assess land for tax purposes at either the full value or a stipulated proportion of that value. This varies between states and even between counties or other local taxing jurisdictions. When known, the practice of assessors in this regard should be noted, but experience has shown that the two methods of checking the ratio, mentioned above, are considerably more desirable.

20.6 Opinions of Value. Obtain opinions of value from qualified persons, especially as to similar land with which they are familiar.

20.7 Capitalization of Rentals.

(a) As primary or supplemental evidence of value, but preferably as supplemental evidence, rentals of the appraised property, and/or of similar adjacent property should be capitalized to show base value. For grazing lands in particular, special consideration should be given to rentals charged for lands in private ownership. If such data is not available, the highest rate commonly charged by a governmental agency for similar lands should be utilized.

(b) An acceptable method of capitalizing rentals is to deduct fixed costs (taxes, etc.) from gross rentals to obtain net rental and divide the net rental by the customary rate of interest on similar lands in the locality.

20.8 Analysis of the Data and Conclusions.

(a) Land.

(1) Consider all the elements of value possessed by the land under appraisal.
(2) Consider all evidences of value of similar adjacent lands.
(3) Determine the degree of similarity between the appraised parcel and the similar adjacent lands.
(4) By comparison establish a fair value for the land.

(b) Timber.

Timber should be appraised separately from the land and timber value should be based upon the going price for stumpage of the particular types involved and similarly located from the standpoint of accessibility and ease for cutting and hauling. (Where the value of the timber warrants a more detailed appraisal the instructions for appraising timber in section 20.56 should be followed.)

(c) Irrigable Lands.

In addition to obtaining sales records, opinions of value, assessments and related data for lands which are irrigable, the probability of irrigation should be explained, especially from the standpoint of availability of water supplies, quality of water, possibilities of obtaining usable water rights, cost of water rights, cost of clearing, and similar data which will aid in substantiating the appraised value and assist in analyses of the report.

The method of appraising irrigable land by taking the value of similar lands irrigated less the cost of placing the unimproved land under irrigation unless very carefully worked out might result in unsound values. When possible, appraisals of irrigable land should be based upon sales data, opinions of value and assessments of similar land.

(d) Buildings and Fences.

Buildings, fences and other improvements should customarily be appraised on the basis of replacement cost less depreciation, and, like timber, they should be appraised separately from the land.

(e) Site Values.

The price which land will bring on the open market in a transaction between a willing seller and a willing buyer reflects future income and

consequently, a speculative element in some degree is present. Field examin
should always be careful not to underestimate the value of tracts having special features such as accessibility to lakes, rivers and other bodies of water, strategic locations along main highways, and special scenic views. At the same time, of course, it is important to recognize unduly high speculative or futurity values which may be placed upon similar lands.

All land should be appraised in so far as possible from the standpoint of its most probable highest use.

20.9 Maps. A sketch map of the tract being appraised and the immediate vicinity should be prepared showing the approximate location of roads and other public facilities, different types of land and vegetation, fences, buildings, and any other features which are pertinent to the value of the tract.

APPRAISAL OF RESOURCES

20.51 Rules to be applied. Unless other standards are prescribed by law or regulations, the rules set forth in sections 20.52 to 20.57 inclusive, will be applied in appraising sand, stone, gravel, vegetation, timber or other forest products on the public lands.

20.52 Definitions. For the purpose of the instructions contained in sections 20.51 and 20.53-20.58, inclusive:

(a) Sand is defined as loose granular material resulting from the disintegration of rock usable for construction, manufacturing or other commercial purposes.

(b) Stone is defined as concreted, earthy or mineral matter, exclusive of precious and semi-precious stones and gems, usable for construction, manufacturing or other commercial purposes.

(c) Gravel is defined as loose, rounded fragments of rock usable for construction purposes.

(d) Vegetation is defined as vegetable growth such as forage, hay, marsh grass, herbs, moss, etc.

(e) Timber is defined as saw timber usable for construction or other commercial purposes.

(f) Forest products (other than timber) shall include poles, posts, pilings, ties, mine props, pulpwood, fuelwood, fence stakes, Christmas trees, bark, nuts, seedlings, etc.

20.53 General practice to be followed. The appraised value of the resources described in the preceding section in all cases should reflect the actual fair market value as nearly as it is possible of determination. The field examiner must determine those items which are of primary importance in each case and select the method of ascertaining the quantity of the resource and its value so as to provide a satisfactory appraisal at a reasonable cost to the Government. It is of the utmost importance that the field examiner report all the factors which he has considered and upon which he has placed primary importance in arriving at his final appraised value, together with any special features or additional facts which will aid in determining whether the sale of such resources will be contrary or detrimental to the public interests. The report should also show whether there is any reason why the sale of the resources should not be made.

20.54. Sand, stone, or gravel. The report by the field examiner on the appraisal of sand, stone, or gravel should generally include the factors required by section 20.53 and the following items:

(a) A statement as to whether the deposits of sand, stone or gravel are of such quality and quantity that they possess a reasonably permanent commercial value which would justify their acquisition under the mining laws, or whether they are of lesser value or extent, usable only temporarily or occasionally for such purposes or in such manner.

(b) The estimated amount, quality and kind of materials on each legal subdivision, setting forth the manner in which the determination was made, and whether screening of the material will be necessary before it can be used.

(c) The method used in appraising the value of such material, setting forth the basic measurement followed, the unit price thereof, the allowance made for screening, and the total price involved.

(d) The manner recommended for the removal of the material; the ability of the applicant to remove it; whether the removal of the material will endanger or damage any other resources of the land; the disposition to be made of the screened unusable materials; and the supervision, if any, which may be necessary in the removal of such material from the land.

(e) The manner recommended for the sale and disposal of the materials and any special stipulations or conditions that should be made a part of the contract.

20.55 Vegetation. The report by the field examiner on the appraisal of vegetation should generally include the factors required by section 20.53 and the following items:

(a) The source, amounts, quality, type, and species of vegetation on each legal subdivision, setting forth the manner in which the determination was made.

(b) The method followed in appraising the value of such vegetation, setting forth the unit of measurement and the unit price thereof, and the total price involved.

(c) The method recommended for the removal of the vegetation; the ability of the applicant to remove it; and any treatment or practices which should be followed in remedying or minimizing the damage resulting from the removal of the vegetation.

(d) The manner recommended for the sale and removal of the vegetation and any special stipulations which should be made a part of the contract.

20.56 Timber. The report of the field examiner on the appraisal of timber should generally include the factors required by section 20.53 and the following items:

(a) For each legal subdivision involved, the area in acres; the total volume of merchantable timber in thousand board feet by species, broken down between green and dead timber; the method used in determining the volume on each such legal subdivision; the general character of the reproduction, young growth, and other unmerchantable forest growth; the unit appraised price by species as between green and dead timber; and the total price of all merchantable timber on each legal subdivision.

(b) An explanation of the method pursued in determining the merchantable volume (which, in general, should be determined in one of three ways depending upon the individual situation, i.e., a 20 per cent or more cruise; a tree scale of each merchantable tree; or a 10 per cent cruise or other reliable estimate of volume to be followed by a log scale as the final basis of determination), and the reasons given for the selection of the particular method or methods used.

(c) The method followed in appraising the market value of the timber including a detailed explanation of the factors considered in determining unit stumpage prices. (In this determination, the stumpage price as a rule should reflect the price of the final product less milling, transportation, and logging costs and a reasonable margin for operator's profit and risk where such factors may be obtained without making a detailed investigation. Prices so determined, however, may be modified by comparison with the prices of similar timber in the same locality in recent sales.)

(d) Whether the timber involved has been marked or designated on the basis of individual trees, blazing of cutting area boundaries, or other methods. (In cases where the timber is to be selectively cut, the marking or designation thereof should be done at the time the timber is inspected and the volume is determined.)

(e) The methods recommended for cutting and logging the timber, silvicultural operations, slash disposal, fire control, prevention of waste, full utilization, preserving scenic strips, and for other operations. Whether certain areas should be logged in advance of others and the reasons therefor, and whether the applicant has the ability to cut and remove the timber involved.

(f) Recommendations as to the extent of supervision required throughout the life of the sale to check effectively on all operations under the contract and as to the procedure to be followed in administering the sale if a log scale basis is used in determining sale volume.

(g) The manner recommended for the sale and disposal of the timber and any special stipulations or conditions that should be incorporated in the contract.

(h) Whether any public domain timber exists in the general vicinity of the timber applied for which should be included in the sale.

(i) Whether the cutting of the timber applied for will jeopardize in any way the possible future establishment of sustained-yield units as provided for under the act of March 29, 1944 (58 Stat. 132, 16 U.S.C. secs. 583a-583i).

20.57 Forest products (other than timber). The report by the field examiner on the appraisal of forest products (other than timber) should follow the instructions given in section 20.55 Timber unless the nature of the product prevents, in which cases the reports should include the factors required by section 20.53 and the following items:

(a) The sources, amounts, quality and species of the forest products on each legal subdivision, setting forth the manner in which the determination was made.

(b) The method followed in appraising the value of such forest products setting forth the unit of measurement, the unit price thereof, and the total price involved.

(c) The method recommended for the removal of the forest products; the ability of the applicant to remove it; and any treatments or practices which should be followed in minimizing the damage resulting from such removal or extraction of the products.

(d) The manner recommended for the sale and removal of the forest products and any special stipulations which should be made a part of the contract.

20.58 Field examination when contract completed. Upon the completion of a contract by the purchaser of sand, stone, gravel, vegetation, timber or other forest products, a field examination will be directed, if necessary, by the General Land Office to ascertain whether the terms of the contract have been fully complied with, whether any terms of the contract have been violated, whether any other material or resource not covered by the contract has been cut or removed, whether the purchaser has caused any damage or committed any other trespass for which he should be held liable, and on what basis it is recommended payment should be made therefor, and whether there is any reason why the contract should not be terminated and the surety on the bond released from liability thereon. This report should show the condition of the remaining material or resources on the land, and, when appropriate, the possibilities of reproduction of timber thereon, the improvements which remain on the land, their use and value, and what disposition should be made of them, and should contain such additional information as will disclose the future use or possibilities of the land.

Fred W. Johnson
Commissioner.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

Order No. 208

October 1, 1945

GENERAL LAND OFFICE MANUAL
PART 189 -- STATUS OF LANDS
WASHINGTON OFFICE PROCEDURE
GENERAL INSTRUCTIONS

The following section is added to Part 189:

189.5 Status reports for lands containing range improvements. Where status reports are furnished by Division "O" for lands shown by the tract books to contain range improvements owned by the United States, the reports should show under the head "Withdrawals" that the lands contain such improvements. These lands are considered as appropriated and withdrawn within the meaning of sections 7, 8, and 14 of the Taylor Grazing Act, and not subject to entry, selection, or disposition under the public land laws.

Fred W. Johnson

Commissioner.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

119492

Order No. 209

October 4, 1945.

GENERAL LAND OFFICE MANUAL
PART 137--PRACTICE
WASHINGTON OFFICE PROCEDURE
GENERAL INSTRUCTIONS

137.2 Routing of papers returned by the Department because of errors of a legal nature. All letters, decisions, or documents prepared by the General Land Office for approval by or signature in the Department which are returned without approval or signature, because of alleged errors of a legal nature, whether or not returned with an accompanying memorandum, will, immediately upon receipt, be submitted to the Commissioner's office for a notation thereof and for forwarding to the Chief Counsel for consideration and appropriate action.

Fred W. Johnson
Commissioner.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington 25, D. C.

Order No. 210

October 4, 1945

GENERAL LAND OFFICE MANUAL
PART 99—MINERAL LEASING, ETC.
COAL

Section 99.29, concerning procurement of reports from the Solid Fuels Administration for War in connection with the issuance of coal prospecting permits and leases, is hereby revoked.

Fred W. Johnson
Commissioner.